

# The Supreme Court of Ohio

---

## CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

June 1, 2004

---

### MOTION AND PROCEDURAL RULINGS

**2004-0502. Lofino Properties, L.L.C. v. Wal-Mart Stores, Inc.**

Greene App. No. 2003CA57, 2004-Ohio-458. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellee Wal-Mart Stores, Inc.'s motion to clarify court order granting stay and motion of appellees R. G. Properties, Inc., Herbert Papock, and the Estate of Wiley Tuttle to clarify court order granting stay,

IT IS ORDERED by the court that the motions for clarification be, and hereby are, granted.

IT IS FURTHER ORDERED by the court that the stay granted by this court applies to all actions of Wal-Mart Stores, Inc., including the construction of the subject building, and that bond be set at \$10,000.

O'Donnell, J., not participating.

**2004-0650. Tatman v. Fairfield Cty. Bd. of Elections.**

In Prohibition. This cause originated in this court on the filing of a complaint for a writ of prohibition. On May 26, 2004, respondent filed a stipulated extension of time to file an answer to relator's amended complaint. Whereas the stipulation was not timely filed pursuant to S.Ct.Prac.R. X and Civ.R. 15(A),

IT IS ORDERED by the court, sua sponte, that respondent's stipulated extension of time be, and hereby is, stricken.

## MISCELLANEOUS DISMISSALS

### **2004-0842. State v. Saunders.**

Stark App. No. 2003CA0141, 2003-Ohio-6794. This cause is pending before this court as a discretionary appeal and claimed appeal of right. On May 25, 2004, appellant filed a notice of appeal and a motion for delayed appeal. Appellant seeks to appeal from a court of appeals decision involving post-conviction relief. Whereas S.Ct.Prac.R. II(2)(A)(4)(b) prohibits the filing of a motion for delayed appeal involving post-conviction relief,

IT IS ORDERED by the court, sua sponte, that appellant's motion for delayed appeal be, and hereby is, stricken.

ACCORDINGLY, IT IS FURTHER ORDERED by the court that this cause be, and hereby is, dismissed.

## MISCELLANEOUS ORDERS

In re Report of the Commission	:	
on Continuing Legal Education	:	
	:	
Charles I. Henderson	:	E N T R Y
Attorney Registration No. 0021673,	:	
Respondent.	:	

This matter originated in this court on the filing of a report by the Commission on Continuing Legal Education ("commission") pursuant to Gov.Bar R. X(6)(A)(1)(b) and (A)(2)(d). The commission recommended the imposition of sanctions against certain attorneys, including the above-named respondent, for failure to comply with the provisions of Gov.Bar R. X, Attorney Continuing Legal Education, for the 1998-1999 reporting period.

On June 1, 2001, pursuant to Gov.Bar R. X(6)(B)(3), this court entered an order adopting the commission's recommendation related to the 1998-1999 reporting period suspending the respondent from the practice of law and imposing a fee sanction upon the respondent.

On May 12, 2004, the commission filed a motion to vacate, requesting that the order of June 1, 2001, pertaining to the above-named respondent, be vacated. Upon consideration thereof,

IT IS ORDERED by the court that the motion to vacate be granted.

IT IS FURTHER ORDERED by the court that the order of June 1, 2001, pertaining to respondent, be vacated and that this cause be dismissed.

-----