

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

June 7, 2004

MOTION AND PROCEDURAL RULINGS

2004-0307. State ex rel. Holdren v. Indus. Comm.

Franklin App. No. 03AP-164, 2003-Ohio-7230. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. Upon consideration of the joint motion for extension of time to file merit brief pursuant to S.Ct.Prac.R. XIV(6)(C),

IT IS ORDERED by the court that the motion for extension of time be, and hereby is, granted, and that appellant's merit brief be due on or before June 30, 2004.

APPEALS ACCEPTED FOR REVIEW

2004-0247. In re S.J.

Cuyahoga App. No. 82106, 2003-Ohio-5071. Upon consideration of the jurisdictional memoranda filed in this case, the court hereby accepts the appeal.

Resnick, Pfeifer and O'Connor, JJ., dissent.

IT IS ORDERED by the court, sua sponte, that the parties are to brief only the following propositions of law:

1. "When a notice of appeal or a motion for leave to appeal has been filed from an order of the juvenile court, does that court have jurisdiction to proceed with an adjudication during the pendency of the appeal?"

2. “Does the Double Jeopardy Clause of the United States Constitution prohibit a court of appeals from ordering that a child be tried as an adult if the juvenile court has refused to bind over the child and has adjudicated the child to be delinquent?”

Resnick and O’Connor, JJ., dissent.

IT IS FURTHER ORDERED by the court that the Clerk shall issue an order for the transmittal of the record from the Court of Appeals for Cuyahoga County, and that the parties shall brief this case in accordance with the Rules of Practice of the Supreme Court of Ohio.

MISCELLANEOUS DISMISSALS

2003-2037. State ex rel. Humility House v. Indus. Comm.

Franklin App. No. 03AP-1, 2003-Ohio-5582. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. Upon consideration of appellant's application for dismissal,

IT IS ORDERED by the court that the application for dismissal be, and hereby is, granted.

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

2004-0364. Cincinnati School Dist. Bd. of Edn. v. Hamilton Cty. Bd. of Revision.

Board of Tax Appeals, No. 2003-R-1813. This cause is pending before the court as an appeal from the Board of Tax Appeals. Upon consideration of the parties’ joint application for dismissal,

IT IS ORDERED by the court that the application for dismissal be, and hereby is, granted.

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

ADMINISTRATIVE ACTIONS

1. Proposed amendments to Gov.Bar R. VII (Unauthorized Practice of Law) will be published for public comment.

2. Proposed amendments to Gov.Bar R. XV (Commission on Professionalism) will be published for public comment.
