

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

June 25, 2004

MERIT DECISIONS WITHOUT OPINIONS

2003-0423. RPM, Inc. v. Oatey Co.

Medina App. Nos. 3282-M and 3289-M, 2003-Ohio-367. This cause, here on appeal from the Court of Appeals for Medina County, was considered in the manner prescribed by law. Upon consideration thereof, the judgment of the court of appeals is vacated, and this cause is remanded to the court of appeals.

IT IS FURTHER ORDERED by the court that the trial court's order to the court reporter to correct and resubmit the transcript on appeal, issued pursuant to App.R. 9(E), be carried out and that the court of appeals is to address the substantive issues of law raised in the assignments of error once it receives the full transcript. In the event that an adequate transcript can no longer be created, the parties shall proceed pursuant to App.R. 9(C).

IT IS FURTHER ORDERED that the appellants recover from the appellee their costs herein expended; that a mandate be sent to the Court of Common Pleas of Medina County to carry this judgment into execution; and that a copy of this entry be certified to the Clerk of the Court of Appeals for Medina County for entry.

Moyer, C.J., Resnick, Lundberg Stratton, O'Connor and O'Donnell, JJ., concur.

F.E. Sweeney and Pfeifer, JJ., dissent and would improvidently allow this appeal.

MOTION AND PROCEDURAL RULINGS

2000-0644. State v. Vrabel.

Mahoning App. No. 95CA221. By entry filed June 3, 2004, this court ordered that appellant's sentence be carried into execution on Wednesday, the 14th day of July, 2004. In order to facilitate this court's timely consideration of any matters relating to the execution of appellant's sentence,

IT IS ORDERED by the court that the Chief Justice may suspend application of any provisions of the Rules of Practice of the Supreme Court, including, but not limited to, the filing requirements imposed by S.Ct.Prac.R. XIV(1).

IT IS FURTHER ORDERED by the court that service of documents as required by S.Ct.Prac.R. XIV(2) shall be personal or by facsimile transmission.

IT IS FURTHER ORDERED by the court that counsel of record for the parties shall supply this court with a copy of any document relating to this matter that is filed in, or issued by, any other court in this state or any federal court, as well as any commutation, pardon, or warrant of reprieve issued by the Governor. A copy of the document shall be delivered to the Office of the Clerk as soon as possible, either personally or by facsimile transmission.

2004-0290. State ex rel. Dayton Foods L.P. v. Unger.

Franklin App. No. 02AP-1076, 2003-Ohio-7228. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. Upon consideration of appellee's 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 appellee's merit brief be due on or before July 6, 2004.

2004-0685. Louis v. Ohio Adult Parole Auth.

Montgomery App. No. CA20194. This cause is pending before the court as an appeal from the Court of Appeals for Montgomery County. Upon consideration of appellant's motion for extension of time and request for appointment of counsel,

IT IS ORDERED by the court that the motion for appointment of counsel be, and hereby is, denied.

IT IS FURTHER ORDERED by the court that the motion for extension of time be and hereby is, granted, and that appellant's merit brief shall be filed within ten days of the date of this entry.
