

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

January 30, 2004

MOTION AND PROCEDURAL RULINGS

2002-2130. State v. McKnight.

Vinton C.P. No. 01CR7230. This cause is pending before the court as a death penalty appeal from the Court of Common Pleas of Vinton County. On January 26, 2004, appellee filed a motion to strike appellant's merit brief. Whereas, appellee's motion contains portions of appellee's brief, which was not timely filed,

IT IS ORDERED by the court, sua sponte, that the state of Ohio's motion to strike appellant's merit brief be, and hereby is, stricken.

2003-1721. Starks v. Fed. Ins. Co.

Stark App. No. 2003CA00069, 2003-Ohio-4382. This cause is pending before the court as a discretionary appeal and claimed appeal of right. On September 30, 2003, appellant filed a notice that a motion to certify a conflict was pending in the court of appeals, and pursuant to S.Ct.Prac.R. IV(4)(A), this court stayed consideration of the jurisdictional memoranda filed in this appeal. Whereas appellant has neither notified this court that the court of appeals determined that a conflict does not exist as provided by S.Ct.Prac.R. IV(4)(B), nor filed a copy of the court of appeals' order certifying the existence of a conflict as provided by S.Ct.Prac.R. IV(4)(C),

IT IS ORDERED by the court, sua sponte, that appellant show cause within ten days of the date of this entry why this court should not proceed to consider the jurisdictional memoranda in this appeal pursuant to S.Ct.Prac.R. III(6).

2003-1901. Campbell v. Indus. Comm.

Franklin App. No. 02AP-1253, 2003-Ohio-4824. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. Upon

consideration of appellant's motion not to dismiss this cause for want of prosecution,

IT IS ORDERED by the court that the motion not to dismiss be, and hereby is, granted.

IT IS FURTHER ORDERED that appellee shall file its merit brief within 30 days of the date of this entry, and the parties shall otherwise proceed in accordance with S.Ct.Prac.R. VI.

MISCELLANEOUS DISMISSALS

2003-2175. State ex rel. Trussell v. Meigs Cty. Bd. of Commrs.

Meigs App. No. 03CA1. This cause is pending before the court as an appeal from the Court of Appeals for Meigs County. Upon consideration of appellants' 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.