

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

September 13, 2004

MOTION AND PROCEDURAL RULINGS

2002-0506. State v. Fitzpatrick.

Hamilton C.P. No. B0104117. This cause came on for further consideration upon appellant's motion for stay of execution pending exhaustion of state remedies. Upon consideration thereof,

IT IS ORDERED by the court that the motion for stay of execution be, and hereby is, granted.

IT IS FURTHER ORDERED by the court that this stay shall remain in effect until exhaustion of all state post-conviction proceedings, including any appeals.

IT IS FURTHER ORDERED that counsel for the appellant and for the appellee shall notify this court when all proceedings for post-conviction relief before courts of this state have been exhausted.

2003-1653. In re All Kelley & Ferraro Asbestos Cases.

Cuyahoga App. Nos. 78158, 78159, 78299, 78301, 80083, 80332, 80673 and 81576. This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County. On September 10, 2004, appellants Quigley Company, Inc., and Pfizer, Inc., filed a notice and suggestion of stay under the federal Bankruptcy Code. Upon consideration thereof,

IT IS ORDERED by the court that the proceedings in this case involving appellants Quigley Company, Inc., and Pfizer, Inc., be, and hereby are, stayed pending further order of this court.

IT IS FURTHER ORDERED by the court, sua sponte, that appellants Quigley Company, Inc., and Pfizer, Inc., shall file a notice with this court upon termination of the stay under the Bankruptcy Code or by the United States Bankruptcy Court.

IT IS FURTHER ORDERED by the court that this stay does not apply to the remaining parties in this case and that the oral argument scheduled for September 14, 2004, shall proceed as scheduled.

2004-1216. Fichtel & Sachs Industries, Inc. v. Wilkins.

Board of Tax Appeals, No. 2003-M-408. The court hereby returns this case to the regular docket under S.Ct.Prac.R. XIV(6). Appellant/cross-appellee shall file his merit brief within 40 days of the date of this entry, and the parties shall otherwise proceed in accordance with S.Ct.Prac.R. VI. As provided in S.Ct.Prac.R. VI(7), the court may dismiss this case or take other action if the parties fail to timely file merit briefs.