

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

September 22, 2004

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### MERIT DECISIONS WITH OPINIONS

**1999-1218. State v. Williams, 2004-Ohio-4747.**

Lucas C.P. No. CR97-2268. Cause remanded.

Moyer, C.J., F.E. Sweeney, Pfeifer, O'Connor and Celebrezze, JJ., concur.

Resnick and Lundberg Stratton, JJ., concur in judgment only.

Frank D. Celebrezze, Jr., J., of the Eighth Appellate District, sitting for O'Donnell, J.

**2002-1742 and 2002-1783. Wentling v. Motorists Ins. Co., 2004-Ohio-4778.**

Stark App. No. 2002 CA 00027, 2002-Ohio-4672. Judgment vacated and cause remanded.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, O'Connor and O'Donnell, JJ., concur.

Lundberg Stratton, J., concurs separately.

**2003-0067. Thomson v. OHIC Ins. Co., 2004-Ohio-4775.**

Butler App. No. CA2002-03-055, 150 Ohio App.3d 352, 2002-Ohio-6517. Judgment affirmed.

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

Resnick, J., dissents.

F.E. Sweeney and Pfeifer, JJ., dissent.

**2003-0613. Green Cove Resort I Owners' Assn. v. Pub. Util. Comm., 2004-Ohio-4774.**

Public Utilities Commission, No. 001595-ST-CRC. Order reversed in part, affirmed in part, and cause remanded.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Lundberg Stratton, O'Connor and O'Donnell, JJ., concur.

**2003-0765 and 2003-0766. State v. Chandler, 2004-Ohio-4779.**

Hamilton App. Nos. C-020253 and C-020188. Judgments affirmed on authority of *State v. Brooks*, 103 Ohio St.3d 134, 2004-Ohio-4746.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer and O'Connor, JJ., concur.

Lundberg Stratton, J., concurs in part and dissents in part.

O'Donnell, J., dissents.

**2003-1084 and 2003-1486. State v. Housley, 2004-Ohio-4780.**

Clermont App. No. CA2002-07-060, 2003-Ohio-2223. Judgment reversed on the authority of *State v. Brooks*, 103 Ohio St.3d 134, 2004-Ohio-4746.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer and O'Connor, JJ., concur.

Lundberg Stratton and O'Donnell, JJ., dissent.

**2003-1367. In re Application of Aboyade, 2004-Ohio-4773.**

On Report of the Board of Commissioners on Character and Fitness, No. 248.

Kimberli Christine Aboyade is permanently denied admission to the practice of law.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Lundberg Stratton, O'Connor and O'Donnell, JJ., concur.

**2003-1380. State v. Brooks, 2004-Ohio-4746.**

Summit App. No. 21360, 2003-Ohio-3143 and 2003-Ohio-3364. Judgment reversed.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer and O'Connor, JJ., concur.

Lundberg Stratton, J., concurs in part and dissents in part.

O'Donnell, J., concurs in paragraph one of the syllabus only.

**2003-1406. State v. Cowan, 2004-Ohio-4777.**

Portage App. Nos. 2002-P-0029, 2002-P-0030 and 2002-P-0031, 2003-Ohio-3547. Judgment affirmed.

Resnick, F.E. Sweeney, Pfeifer and Lundberg Stratton, JJ., concur.

Moyer, C.J., dissents with opinion.

O'Connor, J., dissents.

O'Donnell, J., dissents with opinion.

**2003-1808. Stark Cty. Bar Assn. v. Watterson, 2004-Ohio-4776.**

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 01-98.

Tim M. Watterson, Attorney Registration No. 0028264, is suspended from the practice of law for one year, with six months stayed on conditions.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Lundberg Stratton, O'Connor and O'Donnell, JJ., concur.

**2003-1868. Schuller v. United States Steel Corp., 2004-Ohio-4753.**

Trumbull App. No. 2002-T-0165, 2003-Ohio-4870. Judgment reversed in part and cause remanded.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Lundberg Stratton, O'Connor and O'Donnell, JJ., concur.

**2004-0347. State v. Gumm, 2004-Ohio-4755.**

Hamilton App. No. C-920907. Judgment affirmed.

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

Pfeifer, J., concurs separately.

**2004-0468. Cuyahoga Cty. Bar Assn. v. Herron, 2004-Ohio-4749.**

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 02-49.

Michael J. Herron, Attorney Registration No. 0068694, is indefinitely suspended from the practice of law.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Lundberg Stratton, O'Connor and O'Donnell, JJ., concur.

**2004-0556. State v. Larson, 2004-Ohio-4757.**

Clermont App. No. CA2003-07-059, 2004-Ohio-700. Judgment affirmed on the authority of *State v. Brooks*, 103 Ohio St.3d 134, 2004-Ohio-4746.

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

Lundberg Stratton, J., concurs in part and dissents in part.

F.E. Sweeney, J., dissents.

**2004-0651. State ex rel. Ahmed v. Costine, 2004-Ohio-4756.**

Belmont App. No. 01-BA-30, 2004-Ohio-1369. Judgment affirmed.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Lundberg Stratton, O'Connor and O'Donnell, JJ., concur.

**2004-0691. State ex rel. Nelson v. Griffin, 2004-Ohio-4754.**

Cuyahoga App. No. 83998. Judgment affirmed.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Lundberg Stratton, O'Connor  
and O'Donnell, JJ., concur.