

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

October 15, 2004

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### MOTION AND PROCEDURAL RULINGS

**1999-1218. State v. Williams.**

Lucas C.P. No. CR97-2268. This cause came on for further consideration upon appellee's motion for reconsideration filed on October 4, 2004. On September 22, 2004, this court issued an entry and opinion on reconsideration in this case, and a mandate to the court of common pleas issued on that date. Therefore, appellee's motion for reconsideration is not permitted under S.Ct.Prac.R. XI. Accordingly,

IT IS ORDERED by the court, sua sponte, that appellee's motion for reconsideration be, and hereby is, stricken.

**2001-0871. State v. Ahmed.**

Belmont C.P. No. 99-CR-192. This cause came on for further consideration upon appellant's motion for a complete copy of the appellate file. Upon consideration thereof,

IT IS ORDERED by the court that the motion be, and hereby is, granted and that the Clerk of this court shall make the complete file and record available to counsel for appellant for copying at the Clerk's office.

IT IS FURTHER ORDERED by the court that the Clerk shall not charge appellant any costs for the copying of the file and record.

**2004-1417. Hardy v. Delaware Cty. Bd. of Revision.**

Board of Tax Appeals, No. 2003-A-966. The court hereby returns this case to the regular docket under S.Ct.Prac.R. XIV(6). Appellants shall file their 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.

**2004-1690. Goodman Weiss Miller L.L.P. v. Wright.**

In Prohibition. This cause originated in this court on the filing of a complaint for a writ of prohibition. Upon consideration of relator's motion for expedited consideration,

IT IS ORDERED by the court that the motion for expedited consideration be, and hereby is, denied.

Moyer, C.J., and Resnick, J., not participating.

**2004-1691. State ex rel. Goodman Weiss Miller L.L.P. v. Boyle.**

In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus. Upon consideration of relator's motion for expedited consideration,

IT IS ORDERED by the court that the motion for expedited consideration be, and hereby is, denied.

Moyer, C.J., and Resnick, J., not participating.

### **DISCIPLINARY CASES**

**1996-1433. Cleveland Bar Assn. v. Rea.**

This cause came on for further consideration upon respondent's filing of a petition for reinstatement. On October 8, 2004, respondent filed a request to withdraw her petition for reinstatement without prejudice. Upon consideration thereof,

IT IS ORDERED by the court that respondent's request to withdraw her petition for reinstatement without prejudice is granted.

**2004-1447. In re Resignation of Billiter.**

On affidavit of resignation from the practice of law of Gary Franklin Billiter, Attorney Registration No. 0061746, and on report filed under seal by Disciplinary Counsel. Resignation accepted with disciplinary action pending.

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

### **MISCELLANEOUS DISMISSALS**

**2004-0951. State ex rel. Tyler v. Indus. Comm.**

Franklin App. No. 03AP-836, 2004-Ohio-2818. 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.

**2004-1230. Zanesville City Schools Bd. of Edn. v. Muskingum Cty. Bd. of Revision.**

Board of Tax Appeals, No. 2003-T-51. This cause is pending before the court as an appeal from the Board of Tax Appeals. It appears from the records of this court that appellant has not filed a merit brief, due October 5, 2004, in compliance with the Rules of Practice of the Supreme Court and therefore has failed to prosecute this cause with the requisite diligence. Upon consideration thereof,

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

**2004-1308. Smalls v. State.**

Stark App. No. 2004CA00185. This cause is pending before the Court as an appeal from the Court of Appeals for Stark County. It appears from the records of this court that appellant has not filed a merit brief, due October 12, 2004, in compliance with the Rules of Practice of the Supreme Court and therefore has failed to prosecute this cause with the requisite diligence. Upon consideration thereof,

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

**2004-1542. Beck v. Zaino.**

Board of Tax Appeals, No. 2003-M-1257. This cause is pending before the court as an appeal from the Board of Tax Appeals. Upon consideration of appellant's response to this court's September 30, 2004, show cause order,

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