

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

November 30, 2004

MOTION AND PROCEDURAL RULINGS

2004-1163. State v. Johnson.

Guernsey C.P. No. 03CR116. This cause is pending before the court as a death penalty appeal from the Court of Common Pleas of Guernsey County. Upon consideration of appellant's motion to supplement the record,

IT IS ORDERED by the court that the motion be, and hereby is, granted and that the Clerk of the Guernsey County Court of Common Pleas certify and transmit the following item to the Clerk of this court within twenty days of the date of this entry: Defendant's Exhibit 44, entitled "Wilson Court Records."

2004-1963. State v. Russell.

Cuyahoga App. No. 83699, 2004-Ohio-5031. This cause is pending before the court as a discretionary appeal and claimed appeal of right. It appearing to the court that appellant's notice of appeal and memorandum in support of jurisdiction were received by the Clerk on November 10, 2004, but were incorrectly not docketed on that date,

IT IS ORDERED by the court, sua sponte, that appellee may file a memorandum in response within thirty days from the date of this entry.

MISCELLANEOUS DISMISSALS

2004-1463. Young v. Thomas.

Lorain App. No. 03CA008409. This cause is pending before the court as an appeal from the Court of Appeals for Lorain County. It appears from the records of this court that appellant has not filed a merit brief, due November 17, 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.

MISCELLANEOUS ORDERS

In re Motion for leave to file
affidavit of disqualification and
petition in mandamus and
prohibition by Gregory T. Howard.

O R D E R

On September 24, 2004, this court found Gregory T. Howard to be a vexatious litigator under S.Ct.Prac.R. XIV(5)(B). This court further ordered that Howard was prohibited from continuing or instituting legal proceedings in this court without first obtaining leave. On November 19, 2004, Howard submitted a motion for leave to file an affidavit of disqualification and a petition in mandamus and prohibition. Upon review of the proffered filing, the court finds it to be without merit. Accordingly,

IT IS ORDERED by the court that Gregory T. Howard's November 19, 2004, motion for leave be, and hereby is, denied.

MEDIATION REFERRALS

2004-1896. State ex rel. Apcompower, Inc. v. Indus. Comm.

Franklin App. No. 03AP-718, 2004-Ohio-5257. The court refers this case to mediation under S.Ct.Prac.R. XIV(6) and stays the briefing schedule for this case until further notice. The court will not issue any decision on the merits of this case until mediation has concluded. The lifting of this stay of briefing or the return of this case to the court's regular docket will begin de novo the time for briefing prescribed in S.Ct.Prac.R. VI.

2004-1916. State ex rel. Kynard v. Indus. Comm.

Franklin App. No. 03AP-1071, 2004-Ohio-5153. The court refers this case to mediation under S.Ct.Prac.R. XIV(6) and stays the briefing schedule for this case until further notice. The court will not issue any decision on the merits of this case until mediation has concluded. The lifting of this stay of briefing or the return of

this case to the court's regular docket will begin de novo the time for briefing prescribed in S.Ct.Prac.R. VI.

2004-1953. Alcoa, Inc. v. Wilkins.

Board of Tax Appeals, No. 1999-G-1401. The court refers this case to mediation under S.Ct.Prac.R. XIV(6) and stays the briefing schedule for this case until further notice. The court will not issue any decision on the merits of this case until mediation has concluded. The lifting of this stay of briefing or the return of this case to the court's regular docket will begin de novo the time for briefing prescribed in S.Ct.Prac.R. VI.