

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

May 3, 2005

[Cite as *05/03/2005 Case Announcements*, 2005-Ohio-2106.]

MOTION AND PROCEDURAL RULINGS

2001-0871. State v. Ahmed.

Belmont C.P. No. 99-CR-192. This cause is pending before the court as an appeal from the Court of Common Pleas for Belmont County. Upon consideration of appellant's amended pro se motion to allow supplemental briefing as of right in this case,

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

2005-0710. Garcia v. O'Rourke.

Gallia App. No. 04CA7, 2005-Ohio-1034. This cause is pending before the court as a discretionary appeal. On April 22, 2005, an appeal was filed from the same court of appeals decision being appealed in this case and was assigned case No. 05-0717. Accordingly,

IT IS ORDERED by the court, sua sponte, that a copy of the notice of appeal filed in case No. 05-0717 be deemed as a second notice of appeal in this case.

IT IS FURTHER ORDERED that appellee shall file a memorandum in response addressing both appeals in accordance with S.Ct.Prac.R. III(2) within thirty days from the date of this entry.

MISCELLANEOUS DISMISSALS

2004-1925. State ex rel. Pactive Corp./Tenneco Packaging v. Harvey.

Franklin App. No. 03AP-1272, 2004-Ohio-5158. 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.

2005-0715. State v. Tanner.

Medina App. No. 04CA0062-M, 2005-Ohio-998. This cause is pending before the court as a discretionary appeal and claimed appeal of right. It appears from the records of the court that the appellant has not filed a memorandum in support of jurisdiction, due April 25, 2005 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.

2005-0717. Garcia v. O'Rourke.

Gallia App. No. 04CA7, 2005-Ohio-1034. This cause is pending before the court as a discretionary appeal. On April 22, 2005, an appeal was filed from the same court of appeals decision being appealed in this case and was assigned case No. 05-0710. Accordingly,

IT IS ORDERED by the court, sua sponte, that a copy of the notice of appeal filed in this case be deemed as a second notice of appeal in case No. 05-0710.

IT IS FURTHER ORDERED that the appeals shall proceed under case No. 05-0710 and that this cause is therefore dismissed.

MEDIATION REFERRALS

The following case has been referred to mediation pursuant to S.Ct.Prac.R. XIV(6):

2005-0739. Mason City School Dist. Bd. of Edn. v. Warren Cty. Bd. of Revision.

Board of Tax Appeals, No. 2003-T-1355.

The following case has been returned to the regular docket pursuant to S.Ct.Prac.R. XIV(6)(E):

2005-0513. State ex rel. McKenney v. Indus. Comm.

Franklin App. No. 03AP-1196, 159 Ohio App.3d 720, 2005-Ohio-981.