

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

June 23, 2005

[Cite as *06/23/2005 Case Announcements*, 2005-Ohio-3118.]

MOTION AND PROCEDURAL RULINGS

2004-0738. Kish v. Akron.

On Order from the United States Court of Appeals for the Sixth Circuit Certifying Questions of State Law, Nos. 02-3631 and 02-3632. This cause is pending before the court on the certification of a state law question from the United States Court of Appeals for the Sixth Circuit.

IT IS ORDERED by the court, sua sponte, that the parties shall file supplemental merit briefs addressing the question, certified as question 1b by the United States Court of Appeals, as follows:

"What constitutes a 'violation' as that term is used in Ohio Rev. Code § 149.351?"

IT IS FURTHER ORDERED that petitioner's brief shall be filed within forty days of the date of this entry. Respondents shall file their brief within thirty days of the filing of petitioner's brief, and petitioner may file a reply brief within twenty days of the filing of respondents' brief. No extensions of time shall be permitted.

IT IS FURTHER ORDERED that briefs of amici curiae shall be permitted and that all briefs shall comply with the requirements of S.Ct.Prac.R. VI.

MISCELLANEOUS DISMISSALS

2005-0564. State ex rel. Moyer v. Sharonville Fire Dept.

Franklin App. No. 04AP-92, 2005-Ohio-587. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. Upon consideration of the joint 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.

MEDIATION REFERRALS

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

2005-0733. State ex rel. Erieview Metal Treating Co. v. Indus. Comm.
Franklin App. No. 04AP-447, 2005-Ohio-1154.