

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

September 26, 2005

[Cite as *09/26/2005 Case Announcements*, 2005-Ohio-5010.]

MERIT DECISIONS WITH OPINIONS

2005-1616. State ex rel. N. Main St. Coalition v. Webb, 2005-Ohio-5009.

In Mandamus. Writ granted.

Moyer, C.J., Resnick, Pfeifer, Lundberg Stratton, O'Connor and Lanzinger, JJ., concur.

O'Donnell, J., dissents.

MOTION AND PROCEDURAL RULINGS

2005-1789. State ex rel. John Q. Public v. Etna Twp. Bd. of Trustees.

In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus. With the filing of the complaint, relator also filed a motion for an order appointing a special process server. S.Ct.Prac.R. X(4)(A) requires the Clerk of this court to serve complaints in original actions. Notwithstanding Civ.R.4.1(B), the Rules of Practice control the procedure in original actions before this court. See S.Ct.Prac.R. X(2). Accordingly,

IT IS ORDERED by the court that the motion to appoint a process server is denied. The Clerk of this court shall serve the complaint by certified mail in accordance with S.Ct.Prac.R. X(4)(A).

IT IS FURTHER ORDERED that relator is not precluded from making personal service of the complaint; however, respondents' time to file a responsive pleading under S.Ct.Prac.R. X(5) shall be calculated from the date of service of the complaint by the Clerk.