

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

October 14, 2005

[Cite as *10/14/2005 Case Announcements, 2005-Ohio-5429.*]

MOTION AND PROCEDURAL RULINGS

2005-0934. State v. Sommer.

Fairfield App. No. 04CA36, 2005-Ohio-1707. This cause is pending before the court as a discretionary appeal and claimed appeal of right. On May 20, 2005, appellant filed a notice that a motion to certify a conflict was pending in the court of appeals and, pursuant to S.Ct.Prac.R. IV(4)(A), this court stayed consideration of the jurisdictional memoranda filed in this appeal. Whereas appellant has neither notified this court that the court of appeals determined that a conflict does exist as provided by S.Ct.Prac.R. IV(4)(B) nor filed a copy of the court of appeals' order certifying the existence of a conflict provided by S.Ct.Prac.R. IV(4)(C),

IT IS ORDERED by the court, sua sponte, that appellant show cause within fourteen days of the date of this entry why this court should not proceed to consider the jurisdictional memoranda in this appeal pursuant to S.Ct.Prac.R. III(6).

2005-1176. Tobias, Kraus & Torchia v. Schlagel.

Hamilton App. No. C-040644. This cause is pending before the court as a discretionary appeal. On June 30, 2005, appellant filed a notice that a motion to certify a conflict was pending in the court of appeals and, pursuant to S.Ct.Prac.R. IV(4)(A), this court stayed consideration of the jurisdictional memoranda filed in this appeal. Whereas appellant has neither notified this court that the court of appeals determined that a conflict does exist as provided by S.Ct.Prac.R. IV(4)(B) nor filed a copy of the court of appeals' order certifying the existence of a conflict provided by S.Ct.Prac.R. IV(4)(C),

IT IS ORDERED by the court, sua sponte, that appellant show cause within fourteen days of the date of this entry why this court should not proceed to

consider the jurisdictional memoranda in this appeal pursuant to S.Ct.Prac.R. III(6).

MISCELLANEOUS DISMISSALS

2004-1957. Corporate Property Assoc. v. Wood Cty. Bd. of Revision.

Board of Tax Appeals, No. 2002-N-1836. This cause is pending before the court as an appeal from the Board of Tax Appeals. Upon consideration of appellant's application for dismissal,

IT IS ORDERED by the court that the application for dismissal is granted.

ACCORDINGLY, IT IS FURTHER ORDERED by the court that this cause is dismissed.

2005-1730. In re Subpoenas Issued to Lynd.

Scioto App. Nos. 04CA2966 and 04CA2978, 2005-Ohio-4607. 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 October 11, 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 is dismissed sua sponte.

MEDIATION REFERRALS

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

2005-1562. Natl. City Bank v. Wilkins.

Board of Tax Appeals, No. 2003-A-1328.

2005-1563. Natl. City Bank v. Wilkins.

Board of Tax Appeals, No. 2003-A-1327.

2005-1564. Natl. City Bank v. Wilkins.

Board of Tax Appeals, No. 2003-A-1329.

2005-1565. Natl. City Bank v. Wilkins.

Board of Tax Appeals, No. 2003-A-1326.

2005-1566. Natl. City Bank v. Wilkins.

Board of Tax Appeals, No. 2003-A-1330.

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

2005-0899. State ex rel. Dobbins v. Indus. Comm.
Franklin App. No. 04AP-590, 2005-Ohio-1529.