

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

January 19, 2006

[Cite as *01/19/2006 Case Announcements*, 2006-Ohio-159.]

MOTION AND PROCEDURAL RULINGS

1987-1614. State v. Benner.

Summit App. No. 12664. By entry filed December 28, 2005, this court ordered that appellant's sentence be carried into execution on Tuesday, February 7, 2006. In order to facilitate this court's timely consideration of any matters relating to the execution of appellant's sentence,

IT IS ORDERED by the court that the Chief Justice may suspend application of any provisions of the Rules of Practice of the Supreme Court, including, but not limited to, the filing requirements imposed by S.Ct.Prac.R. XIV(1).

IT IS FURTHER ORDERED that service of documents as required by S.Ct.Prac.R. XIV(2) shall be personal or by facsimile transmission.

IT IS FURTHER ORDERED that counsel of record for the parties shall supply this court with a copy of any document relating to this matter that is filed in, or issued by, any other court in this state or any federal court, as well as any commutation, pardon, or warrant of reprieve issued by the Governor. A copy of the document shall be delivered to the Office of the Clerk as soon as possible, either personally or by facsimile transmission.

2005-0896. Theobald v. Univ. of Cincinnati.

Franklin App. No. 02AP-560, 160 Ohio App.3d 342, 2005-Ohio-1510. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. Upon consideration of the motion of amicus curiae Medical College of Ohio Physicians to withdraw its merit brief,

IT IS ORDERED by the court that the motion is granted.

2005-0941. State v. Suttles.

Hamilton App. No. C-030908. This cause is pending before this court as an appeal from the Court of Appeals for Hamilton County. Upon consideration of the motion to withdraw as counsel filed by A. Norman Aubin,

IT IS ORDERED by the court that the motion is granted.

IT IS FURTHER ORDERED, sua sponte, that the Ohio Public Defender is appointed to represent the appellant.

2006-0068. Harpster v. Advanced Elastomer Sys., L.P.

Summit App. No. 22684, 2005-Ohio-6919. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellant's motion for stay of the court of appeals' judgment,

IT IS ORDERED by the court that the motion for stay is denied.

Lundberg Stratton, J., dissents.

MISCELLANEOUS DISMISSALS

2004-0001. Academy of Medicine of Cincinnati v. Aetna Health, Inc.

Hamilton App. Nos. C-030109, C-030110, and C-030111, 155 Ohio App.3d 310, 2003-Ohio-6194. This cause is pending before the court as an appeal from the Court of Appeals for Hamilton County. Upon consideration of Community Insurance Company d.b.a. Anthem Blue Cross & Blue Shield's application for dismissal,

IT IS ORDERED by the court that the application for dismissal is granted. Accordingly, the appeal of Community Insurance Company is dismissed.

IT IS FURTHER ORDERED by the court that the appeal of United Healthcare of Ohio, Inc., remains pending.

2005-0561. State ex rel. Borden Chem., Inc. v. Mourn.

Franklin App. No. 03AP-1213, 2005-Ohio-1121. 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 is granted. Accordingly, this cause is dismissed.

MEDIATION REFERRALS

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

2006-0035. Polaris Commerce Center, LLC v. Delaware Cty. Bd. of Revision.

Board of Tax Appeals, No. 2004-B-1100.

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

2005-1770. State ex rel. Crocker v. Indus. Comm.

Franklin App. No. 04AP-820, 2005-Ohio-4390.

2005-1992. State ex rel. Cafaro Mgt. Co. v. Mabe.

In Mandamus.

2005-2070. Soin v. Greene Cty. Bd. of Revision.

Board of Tax Appeals, No. 2004-V-490.

MISCELLANEOUS ORDERS

In re Report of the Commission
on Continuing Legal Education.



O R D E R

This matter originated in this court on the filing of a report by the Commission on Continuing Legal Education (the “commission”) pursuant to Gov.Bar R. X(6)(A)(1)(b) and (A)(2)(d). The commission recommended the imposition of sanctions against certain attorneys and judges, the respondents herein, for failure to comply with the provisions of Gov.Bar R. X and Gov.Jud. R. IV, Continuing Legal Education, for the 2003-2004 reporting period.

On December 13, 2005, pursuant to Gov.Bar R. X(6)(B)(1), this court issued to each respondent an order to show cause on or before January 12, 2006, why the commission’s recommendation should not be adopted. Pursuant to Gov.Bar R. X(6)(B)(2), the commission may file an answer brief to any objections within fifteen days of the filing of the objections.

IT IS ORDERED by the court, sua sponte, that the commission may consolidate its responses to the respondents’ objections in a single answer brief that shall be filed no later than March 13, 2006.

IT IS FURTHER ORDERED by the court, sua sponte, that the notice and service requirements of Gov.Bar R. X(6)(C) shall not apply to this order, and announcement and publication of this order by the Supreme Court Reporter in the

Ohio Official Reports and the Ohio State Bar Association Report shall constitute notice to the respondents.