

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

April 6, 2006

[Cite as *04/06/2006 Case Announcements*, 2006-Ohio-1720.]

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## MOTION AND PROCEDURAL RULINGS

### **2003-1325. State v. Hand.**

Delaware C.P. No. 02CRI-08-366. This cause came on for further consideration upon the filing of appellant's motion for stay of execution scheduled for April 25, 2006. Upon consideration thereof,

IT IS ORDERED by the court that the motion for stay of execution is granted.

IT IS FURTHER ORDERED that this stay shall remain in effect until exhaustion of all state postconviction proceedings, including any appeals.

IT IS FURTHER ORDERED that counsel for appellant and for the appellee shall notify this court when all proceedings for postconviction relief before the courts of this state have been exhausted.

### **2005-1754. Hoffman v. State Med. Bd. of Ohio**

Franklin App. No. 04AP-839, 2005-Ohio-3682. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. On March 27, 2006, amicus curiae The Academy of Medicine of Cleveland/Northern Ohio Medical Association joined in the filing of a brief in support of the appellant. The brief was signed on behalf of that amicus by Elayne R. Biddlestone. Whereas she is not licensed to practice law in this state,

IT IS ORDERED by the court that the name of Elayne R. Biddlestone be stricken from the amici curiae brief.

IT IS FURTHER ORDERED that amicus curiae The Academy of Medicine of Cleveland/Northern Ohio Medical Association may still participate in this matter provided it retains licensed counsel.

### **2005-1967. State v. Oliver.**

Cuyahoga App. No. 85606, 2005-Ohio-4411. This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County. Upon consideration of Edward S. Wade Jr.'s motion to withdraw as counsel for appellee,

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

IT IS FURTHER ORDERED, sua sponte, that attorney Christopher J. Pagan of Middletown, Ohio, is appointed to represent appellee on a pro bono basis. Appellee shall file his merit brief within 30 days of the date of this entry, and the parties shall otherwise proceed in accordance with S.Ct.Prac.R. VI.

**2006-0348. State ex rel. Poissant v. Sheets.**

Ross App. No. 05CA2882. It is ordered that appellant's written request for extension of time for filing his merit brief is hereby granted, in part, and the time for filing the brief is extended to April 20, 2006.

**MEDIATION REFERRALS**

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

**2005-1593. LeRoy v. Allen Yurasek & Merklin.**

Union App. No. 14-04-49, 162 Ohio App3d. 155, 2005-Ohio-4452.

**2005-1926. LeRoy v. Allen Yurasek & Merklin.**

Union App. No. 14-04-49, 162 Ohio App3d. 155, 2005-Ohio-4452.

**MISCELLANEOUS ORDERS**

In re Report of the Commission on  
Continuing Legal Education.

Case No. CLE-99-32321

Donald Ray Rooney  
(#0032321)  
Respondent.

**O R D E R**

This matter originated in this court on the filing of a report by the Commission on Continuing Legal Education ("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, including the above-named respondent, for

failure to comply with the provisions of Gov.Bar R. X, Attorney Continuing Legal Education, for the 1997-1998 reporting period.

On April 6, 2000, this court adopted the recommendation of the commission, imposed a sanction fee upon the respondent, and suspended the respondent from the practice of law pursuant to Gov.Bar R. X(6)(B)(3) and (5)(A)(4). The court further ordered that respondent shall not be reinstated to the practice of law in Ohio until respondent complies with the requirements for reinstatement set forth in Gov.Bar R. X(7), respondent complies with the Supreme Court Rules for the Government of the Bar of Ohio, respondent complies with this and all other orders of the court, and this court orders respondent reinstated.

On March 22, 2006, the commission filed a recommendation pursuant to Gov.Bar R. X(7)(B)(2), finding that the respondent has paid all fees assessed for noncompliance, has made up all deficiencies, and is now in full compliance with all requirements of Gov.Bar R. X, and recommending that the respondent be reinstated to the practice of law in Ohio. The commission certified that respondent had completed the credit hours of continuing legal education required during his suspension by this court's order of suspension. On February 21, 2006, respondent satisfied all the requirements of this court's order of suspension. Upon consideration thereof,

IT IS ORDERED by the court that the recommendation of the commission is adopted, and respondent, Donald Ray Rooney, Jr., is hereby reinstated to the practice of law.