

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

September 26, 2006

[Cite as *09/26/2006 Case Announcements*, 2006-Ohio-4965.]

MOTION AND PROCEDURAL RULINGS

2005-1843. State v. Lowe.

Stark App. No. 2004CA00292, 2005-Ohio-4274. This cause is pending before the court as an appeal from the Court of Appeals of Stark County. Upon consideration of the joint motion of appellee State of Ohio and amicus curiae Ohio Attorney General Jim Petro to participate in oral argument,

It is ordered by the court that the motion is granted, and the amicus curiae shall share the time allotted to appellee.

2006-0934. Poss v. Morris.

Ashtabula App. No. 2004-A-0093, 2006-Ohio-1441. This cause is pending before the court as a discretionary appeal and claimed appeal of right. On May 11, 2006, 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 not 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 as 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).

2006-1735. In Re Protest of Evans Against Initiative Petition Proposing Smoke Free Workplace Act.

Franklin App. Nos. 06AP-539, 06AP-540, 06AP-541, 06AP-542, 06AP-543, 06AP-544, 06AP-545, 06AP-546, 06AP-547, and 06AP-548, 2006-Ohio-3453 and

2006-Ohio-4690. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellants' motion to expedite this appeal,

It is ordered by the court that the motion is granted, and appellees are required to file a memorandum in response to appellants' memorandum in support of jurisdiction within ten days of the date of this entry.

MISCELLANEOUS DISMISSALS

2005-0918. State ex rel. Russo v. Bd. of Cty. Commrs. of Cuyahoga Cty.

In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus. Upon consideration of relator's application for dismissal,

It is ordered by the court that the application for dismissal is granted. Accordingly, this cause is dismissed.

2006-1167. State ex rel. Guthrie v. Elder Beerman Stores Corp.

Franklin App. No. 05AP-617, 2006-Ohio-2612. 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):

2006-1731. DaimlerChrysler Corp. v. Wilkins.

Board of Tax Appeals, Nos. 2004-T-187 and 2004-T-188.