

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

November 17, 2006

[Cite as *11/17/2006 Case Announcements*, 2006-Ohio-6038.]

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## MOTION AND PROCEDURAL RULINGS

### **1987-0447. State v. Henderson.**

Hamilton App. No. C-850557. By entry filed October 23, 2006, this court ordered that appellant's sentence be carried into execution on Tuesday, the 5th day of December, 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.

### **2005-0489. State v. Were.**

Hamilton App. No. C-030485, 2005-Ohio-376, and 2006-Ohio-3511. This cause came on for further consideration of appellant's motion to re-open this case and to consolidate it with case No. 2006-1578. Upon consideration thereof,

It is ordered by the court that the motion is denied.

### **2006-1366. State v. Short.**

Montgomery C.P. No. 2004CR02635. This cause is pending as a death penalty appeal from the Court of Common Pleas for Montgomery County. Upon

consideration of appellant's second motion for an extension of time to transmit the record,

It is ordered by the court that the motion is granted and the time for transmitting the record is extended to December 18, 2006.

**2006-1416. Planin v. Planin.**

Geauga App. No. 2005-G-2644, 2006-Ohio-2933. This cause is pending before the court as a discretionary appeal and claimed appeal of right. On July 26, 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).

## **DISCIPLINARY CASES**

**2003-0359. Cuyahoga Cty. Bar Assn. v. Lazzaro.**

On application for reinstatement of Charles Blaise Lazzaro, Attorney Registration No. 0022281. Application granted and respondent reinstated to the practice of law in Ohio.

**2005-0367. Cuyahoga Cty. Bar Assn. v. Lazzaro.**

On application for reinstatement of Charles Blaise Lazzaro, Attorney Registration No. 0022281. Application granted and respondent reinstated to the practice of law in Ohio.

**2006-1779. In re Ruffin.**

On October 13, 2006, this court suspended respondent, Sean P. Ruffin, Attorney Registration No. 0069002, last known business address in Akron, Ohio, for an interim period pursuant to Gov.Bar R. V(5)(A)(4). On November 14, 2006, the Board of Commissioners on Grievances and Discipline submitted a notice pursuant to Gov.Bar R. V(5)(D)(1)(c) notifying this court that respondent no longer was in default of the child support order previously submitted to the court. Upon consideration thereof,

IT IS ORDERED by the court that pursuant to Gov.Bar R. V(5)(D)(1), respondent be reinstated to the practice of law.

IT IS FURTHER ORDERED that pursuant to Gov.Bar R. V(5)(D)(2), reinstatement of respondent shall not terminate any pending disciplinary proceedings against respondent.

IT IS FURTHER ORDERED that the Clerk of this court issue certified copies of this order as provided for in Gov.Bar R. V(8)(D)(1), that publication be made as provided for in Gov.Bar R. V(8)(D)(2), and that respondent bear the costs of publication.

### **MISCELLANEOUS DISMISSALS**

**2006-1870. Griffin v. Jones Wenner Ins. Agency, Inc.**

Summit App. No. 23381. 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 November 13, 2006, 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.

**2006-2025. State v. Brewster.**

Hamilton App. No. C-040797. 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 November 13, 2006, 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.