

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

November 30, 2006

[Cite as *11/30/2006 Case Announcements, 2006-Ohio-6250.*]

MOTION AND PROCEDURAL RULINGS

2006-1806. State v. Craig.

Summit C.P. No. CR2006-01-0340. This cause is pending before the court as an appeal from the Court of Common Pleas for Summit County. Upon consideration of appellant's motion for stay of execution,

It is ordered by the court that the motion is granted, pending disposition of this appeal.

1987-0447. State v. Henderson.

Hamilton App. No. C-850557. This cause came on for further consideration of appellant's emergency motion to stay execution set for December 5, 2006. Upon consideration thereof,

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

O'Donnell, J., dissents.

1996-0423. State v. Biros.

Trumbull App. No. 91-T-4632. This cause came on for further consideration upon appellee's motion to set execution date. Upon consideration thereof,

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

It is further ordered by the court that appellant's sentence be carried into execution by the Warden of the Southern Ohio Correctional Facility or, in his absence, by the Deputy Warden on Tuesday, the 23rd day of January, 2007, in accordance with the statutes so provided.

It is further ordered that a certified copy of this entry and a warrant under the seal of this court be duly certified to the Warden of the Southern Ohio Correctional Facility and that said Warden shall make due return thereof to the Clerk of this Court of Appeals for Trumbull County.

1998-0287. State v. Filiaggi.

Lorain App. No. 95CA006240. This cause came on for further consideration upon appellee's motion to set execution date. Upon consideration thereof,

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

It is further ordered that appellant's sentence be carried into execution by the Warden of the Southern Ohio Correctional Facility or, in his absence, by the Deputy Warden on Tuesday, the 13th day of February, 2007, in accordance with the statutes so provided.

It is further ordered that a certified copy of this entry and a warrant under the seal of this court be duly certified to the Warden of the Southern Ohio Correctional Facility and that said Warden shall make due return thereof to the Clerk of the Court of Common Pleas of Lorain County.

APPEALS ACCEPTED FOR REVIEW

2006-1293. State v. Muttart.

Hancock App. No. 5-05-08, 2006-Ohio-2506. This cause is pending as an appeal from the Court of Appeals for Hancock County. On October 4, 2006, this court accepted the appeal in this case and consolidated it with 2006-1488, *State v. Muttart*, Hancock App. No. 5-05-08, 2006-Ohio-2506, for briefing and decision. Upon further consideration of the jurisdictional memoranda filed in this case,

It is ordered by the court that the cross-appeal is also accepted on both propositions of law.

Resnick, Pfeifer and O'Connor, JJ., dissent.

Peggy Bryant, J., of the Tenth Appellate District, sitting for Lanzinger, J.

It is further ordered that consolidated briefing with case No. 2006-1488 remains as previously ordered. The parties shall proceed in accordance with their party statuses in this appeal and in accordance with S.Ct.Prac.R. VI(5).

MEDIATION REFERRALS

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

2006-1404. State ex rel. Barnes v. Indus. Comm.

Franklin App. No. 05AP-298, 2006-Ohio-3082.