

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

April 4, 2007

[Cite as *04/04/2007 Case Announcements, 2007-Ohio-1440.*]

MERIT DECISIONS WITH OPINIONS

2005-1780. State v. Cunningham, 2007-Ohio-1245.

Cuyahoga App. No. 85342, 2005-Ohio-3840. Judgment affirmed.

Moyer, C.J., Carr, Pfeifer, Lundberg Stratton, O'Connor, O'Donnell and Lanzinger, JJ., concur.

Donna J. Carr, J., of the Ninth Appellate District, was assigned to sit for Resnick, J., whose term ended on January 1, 2007.

Cupp, J., whose term began on January 2, 2007, did not participate in the consideration or decision of this case.

2005-2336. State v. Buehler, 2007-Ohio-1246.

Cuyahoga App. No. 85796, 164 Ohio App.3d 209, 2005-Ohio-5717. Judgment reversed and judgment of the trial court reinstated.

Moyer, C.J., Pfeifer, Lundberg Stratton, O'Connor and O'Donnell, JJ., concur.

Harsha, J., concurs in judgment only.

Lanzinger, J., dissents.

William H. Harsha, J., of the Fourth Appellate District, was assigned to sit for Resnick, J., whose term ended on January 1, 2007.

Cupp, J., whose term began on January 2, 2007, did not participate in the consideration or decision of this case.

2005-2359 and 2005-2375. Lorain Cty. Aud. v. Ohio Unemp. Comp. Rev. Comm., 2007-Ohio-1247.

Lorain App. No. 05CA008679, 2005-Ohio-5807. Judgment reversed.

Pfeifer, O'Connor, O'Donnell and Lanzinger, JJ., concur.

Moyer, C.J., Bressler and Lundberg Stratton, JJ., dissent.

H.J. Bressler, J., of the Twelfth Appellate District, was assigned to sit for Resnick, J., whose term ended on January 1, 2007.

Cupp, J., whose term began on January 2, 2007, did not participate in the consideration or decision of this case.

2005-2399 and 2006-0249. Mid-American Fire & Cas. Co. v. Heasley, 2007-Ohio-1248.

Lake App. No. 2004-L-115, 2005-Ohio-6072. Judgment affirmed.

Moyer, C.J., Walsh, Lundberg Stratton, O'Connor and Lanzinger, JJ., concur.

Pfeifer, J., concurs in judgment only.

O'Donnell, J., dissents and would dismiss the cause as having been improvidently accepted.

James E. Walsh, J., of the Twelfth Appellate District, was assigned to sit for Resnick, J., whose term ended on January 1, 2007.

Cupp, J., whose term began on January 2, 2007, did not participate in the consideration or decision of this case.

2006-0365. Cincinnati Community Kollé v. Levin, 2007-Ohio-1249.

Board of Tax Appeals, Nos. 2004-K-1441 and 2004-K-1442. Decision reversed and cause remanded.

Donofrio, Pfeifer, Lundberg Stratton, O'Connor, O'Donnell and Lanzinger, JJ., concur.

Moyer, C.J., dissents.

Gene Donofrio, J., of the Seventh Appellate District, was assigned to sit for Resnick, J., whose term ended on January 1, 2007.

Cupp, J., whose term began on January 2, 2007, did not participate in the consideration or decision of this case.

2006-0462. State ex rel. Luther v. Ford Motor Co., Batavia Transmission Plant, 2007-Ohio-1250.

Franklin App. No. 04AP-1127, 2006-Ohio-134. Judgment affirmed.

Moyer, C.J., Pfeifer, Lundberg Stratton, O'Connor, O'Donnell and Cupp, JJ., concur.

Lanzinger, J., concurs in judgment only.

2006-0550. State v. Boczar, 2007-Ohio-1251.

Ashtabula App. No. 2004-A-0063, 2005-Ohio-6910. Judgment affirmed.

Moyer, C.J., Lundberg Stratton, O'Connor, O'Donnell, Lanzinger and Sundermann, JJ., concur.

Pfeifer, J., concurs in judgment only.

J. Howard Sundermann Jr., J., of the First Appellate District, sitting for Cupp, J.

2006-0916. State ex rel. RMS of Ohio, Inc. v. Ohio Bur. of Workers' Comp., 2007-Ohio-1252.

Franklin App. No. 05AP-301, 2006-Ohio-1643. Judgment affirmed.

Moyer, C.J., Pfeifer, Lundberg Stratton, O'Connor, O'Donnell, Lanzinger and Cupp, JJ., concur.

2006-1899. Cuyahoga Cty. Bar Assn. v. Wagner, 2007-Ohio-1253.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 05-077. Charles E. Wagner, Attorney Registration No. 0046937, is indefinitely suspended from the practice of law in Ohio.

Moyer, C.J., Pfeifer, Lundberg Stratton, O'Connor, O'Donnell, Lanzinger and JJ., concur.

Cupp, J., not participating.

2006-1905. In re V.M., 2007-Ohio-1254.

Franklin App. No. 06AP-144, 2006-Ohio-4461. Judgment affirmed.

Moyer, C.J., Lundberg Stratton, O'Connor, O'Donnell, Lanzinger and Cupp, JJ., concur.

Pfeifer, J., dissents for the reasons stated in his dissent in *In re C.F.*, 113 Ohio St.3d 73, 2007-Ohio-1104.

2006-1928. Cincinnati Bar Assn. v. Greenberger, 2007-Ohio-1255.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 05-026. Bruce L. Greenberger, Attorney Registration No. 0023820, is suspended from the practice of law in Ohio for one year, with the suspension to be served consecutively to the suspension imposed on March 8, 2006.

Moyer, C.J., Pfeifer, Lundberg Stratton, O'Connor, O'Donnell and Lanzinger, JJ., concur.

Cupp, J., not participating.

2006-1936. Toledo Bar Assn. v. Hickman, 2007-Ohio-1256.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 05-075. Gregg D. Hickman, Attorney Registration No. 0020032, is suspended from the practice of law in Ohio for one year.

Moyer, C.J., Pfeifer, Lundberg Stratton, O'Connor and O'Donnell, JJ., concur.

Lanzinger and Cupp, JJ., not participating.

2006-1970. Casey v. Hudson, 2007-Ohio-1257.

Richland App. No. 06-CA-76. Judgment affirmed.

Moyer, C.J., Pfeifer, Lundberg Stratton, O'Connor, O'Donnell, Lanzinger and Cupp, JJ., concur.

2006-1975. State ex rel. McDonald v. Mitrovich, 2007-Ohio-1258.

Lake App. No. 2006-L-033, 2006-Ohio-4665. Judgment affirmed.

Moyer, C.J., Pfeifer, Lundberg Stratton, O'Connor, O'Donnell, Lanzinger and Cupp, JJ., concur.