

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

May 2, 2007

[Cite as *05/02/2007 Case Announcements, 2007-Ohio-1986.*]

MERIT DECISIONS WITH OPINIONS

2005-0266. State v. Moore, 2007-Ohio-1788.

Cuyahoga App. No. 83703, 2004-Ohio-6303. Judgment affirmed and cause remanded for resentencing.

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

Pfeifer, J., dissents for the reasons stated in his dissenting opinion in *State v. Evans*, 113 Ohio St.3d 100, 2007-Ohio-861, 863 N.E.2d 113.

2005-1693. State v. Webb, 2007-Ohio-1789.

Cuyahoga App. No. 85318, 2005-Ohio-3839. Judgment reversed and cause remanded.

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

Pfeifer, J., dissents for the reasons stated in his dissenting opinion in *State v. Evans*, 113 Ohio St.3d 100, 2007-Ohio-861, 863 N.E.2d 113.

2005-2388. State v. Sterling, 2007-Ohio-1790.

Ashtabula App. No. 2003-A-0135, 2005-Ohio-6081. Judgment affirmed and cause remanded for further proceedings.

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

O'Connor, J., not participating.

Sean C. Gallagher, J., of the Eighth 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.

2006-0189. Uddin v. Embassy Suites Hotel, 2007-Ohio-1791.

Franklin App. No. 05AP-754, 165 Ohio App.3d 699, 2005-Ohio-6613. The cause is dismissed, sua sponte, as having been improvidently accepted.

Lundberg Stratton, O'Donnell, Lanzinger and Cupp, JJ., concur.

Moyer, C.J., Pfeifer and O'Connor, JJ., dissent.

2006-2300. Doe v. Jesus A. Ramos, M.D., Inc., 2007-Ohio-1792.

Cuyahoga App. No. 87367, 2006-Ohio-5435. Discretionary appeal accepted and judgment reversed.

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

2006-2402. State v. Lather, 2007-Ohio-1793.

Sandusky App. No. S-03-008, 2005-Ohio-668. Discretionary appeal accepted, and cause remanded to the court of appeals.

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

Lanzinger, J., dissents.

MERIT DECISIONS WITHOUT OPINIONS

2007-0308. Dworning v. Euclid.

Cuyahoga App. No. 87757, 2006-Ohio-6772. On review of order certifying a conflict, appellee's objection to the notice of certified conflict, and appellants' memorandum in opposition to the objection. The court determines that no conflict exists. This cause is therefore dismissed.

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

Moyer, C.J., Lundberg Stratton and O'Connor, JJ., dissent.

2007-0314. West v. Herman.

In Prohibition. On respondents' motion to dismiss and relator's motion for summary judgment. Motion for summary judgment denied. Motion to dismiss granted. Cause dismissed.

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

Cupp, J., not participating.

2007-0354. State ex rel. Brown v. Lewis.

In Prohibition. On motion to dismiss. Motion to dismiss granted. Cause dismissed.

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

2007-0454. Muff v. Brunsman.

In Habeas Corpus. On petition for writ of habeas corpus of Maxwell Muff. Sua sponte, cause dismissed.

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

2007-0463. Nedeia v. Jackson.

In Habeas Corpus. On petition for writ of habeas corpus of Romulus Nedeia. Sua sponte, cause dismissed.

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

2007-0513. Ferrell v. Bobby.

In Habeas Corpus. On petition for writ of habeas corpus of Mark Ferrell. Sua sponte, cause dismissed.

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

MOTION AND PROCEDURAL RULINGS

2006-0540. Zappitelli v. Miller.

Cuyahoga App. No. 85895, 2006-Ohio-279. On appellants' amended motion to set supplemental briefing schedule subsequent to oral argument and appellees' motion to strike the amended motion to set supplemental briefing schedule. Motion to strike is granted, and the amended motion to set supplemental briefing schedule is stricken.

Pfeifer, O'Donnell and Lanzinger, JJ., dissent.

2006-1259. State ex rel. Coles v. Granville.

In Mandamus. On respondents' answer and brief in opposition to relator's petition and relators' reply memorandum and motion for admission pro hac vice of Nels Ackerson by J. Anthony Logan. Motion for admission pro hac vice is granted. Relators' complaint in the alternative to compel respondents to relinquish the property is dismissed. Alternative writ is granted as to relators' complaint to

compel an appropriation proceeding, and the following briefing schedule is set for presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. X.:

The parties shall file any evidence they intend to present within 20 days of the date of this entry; relators shall file a brief within ten days of the filing of the evidence; respondents shall file a brief within 20 days after the filing of relators' brief; and relators may file a reply brief within seven days after filing of respondents' brief.

O'Donnell, J., not participating.

2006-2029. Stewart v. Lake Cty. Historical Soc., Inc.

Lake App. No. 2004-L-164, 2006-Ohio-4822. Proposition of Law No. III is no longer held for the decision in 2006-0189, *Uddin v. Embassy Suites Hotel*, Franklin App. No. 04AP-754, 165 Ohio App.3d 699, 2005-Ohio-6613.

Proposition of Law No. I is no longer to be briefed in accordance with the Rules of Practice of the Supreme Court of Ohio.

Propositions of Law Nos. I and III are now held for the decision in 2007-0288 and 2007-0410, *Ahmad v. AK Steel Corp.*, Butler App. No. CA2006-04-089, 2006-Ohio-7031, and briefing schedule is stayed.

Moyer, C.J., and O'Connor, J., would dismiss Proposition of Law No. III as having been improvidently accepted.

Pfeifer, J., would dismiss Propositions of Law Nos. I and III as having been improvidently accepted.

2007-0238. State ex rel. Citizens for Open, Responsive & Accountable Govt. v. Register.

In Mandamus. On motion to dismiss. Sua sponte, alternative writ is granted and the following briefing schedule is set for presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. X.:

The parties shall file any evidence they intend to present within 20 days of the date of this entry; relator shall file a brief within ten days of the filing of the evidence; respondent shall file a brief within 20 days after the filing of relator's brief; and relator may file a reply brief within seven days after filing of respondent's brief.

2007-0304. State v. Bates.

Miami App. No. 06-CA-08, 2006-Ohio-7086. On review of order certifying a conflict. The court determines that a conflict exists. The parties are to brief the issue stated at page 2 of the court of appeals' Decision and Entry filed January 29, 2007:

“Does a trial court have authority, generally, to order that a felony sentence imposed by it be served consecutively with a felony sentence previously imposed by another Ohio court?”

O’Donnell and Lanzinger, JJ., dissent.

The conflict case is *State v. Thompson*, Fairfield App. No. 01CA62, 2002-Ohio-4717.

Sua sponte, cause consolidated with 2007-0293, *State v. Bates*, Miami App. No. 06-CA-08, 2006-Ohio-7086. Michael R. Gladman of Columbus, Ohio, is appointed to represent appellant on a pro bono basis.

2007-0330. State ex rel. Blandin v. Beck.

In Mandamus. On motion to dismiss. Sua sponte, alternative writ is granted and the following briefing schedule is set for presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. X.:

The parties shall file any evidence they intend to present within 20 days of the date of this entry; relator shall file a brief within ten days of the filing of the evidence; respondent shall file a brief within 20 days after the filing of relator’s brief; and relator may file a reply brief within seven days after filing of respondent’s brief.

O’Connor, Lanzinger and Cupp, JJ., dissent.

2007-0358. In re Bozsik.

Medina App. No. 06CA0026-M. On motion to supplement record. Motion denied.

O’Donnell, J., dissents.

2007-0359. State ex rel. Bozsik v. Medina Cty. Commrs.

Medina App. No. 03CA0096-M. On motion to supplement record. Motion denied.

O’Donnell, J., dissents.

2007-0410. Ahmad v. AK Steel Corp.

Butler App. No. CA2006-04-089, 2006-Ohio-7031. On review of order certifying a conflict. The court determines that a conflict exists. The parties are to brief the issue stated at page 3 of the court of appeals’ Entry filed February 22, 2007:

“Whether the violation of an administrative building code prohibits application of the open and obvious doctrine and precludes summary judgment on a negligence claim.”

The conflict cases are *Uddin v. Embassy Suites Hotel*, 165 Ohio App.3d 699, 2005-Ohio-6613; *Christen v. Don Vonderhaar Market & Catering*, Hamilton App.

No. C-050125, 2006-Ohio-715; and *Francis v. Showcase Cinema Eastgate*, 155 Ohio App.3d 412, 2003-Ohio-6507.

Sua sponte, cause consolidated with 2007-0288, *Ahmad v. AK Steel Corp.*, Butler App. No. CA2006-04-089, 2006-Ohio-7031.

2007-0422. State v. Lee.

Union App. No. 14-06-18, 2006-Ohio-6091. On motion for leave to file delayed appeal. Motion denied.

Pfeifer and Lundberg Stratton, JJ., dissent.

2007-0455. State v. Wilcox.

Franklin App. No. 05AP-972, 2006-Ohio-6777. On motion for leave to file delayed appeal. Motion denied.

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

2007-0472. State v. D.H.

Franklin App. No. 06AP-250, 2006-Ohio-6953. On review of order certifying a conflict. The court determines that a conflict exists. The parties are to brief the issue stated in the court of appeals' Journal Entry filed February 27, 2007:

“Do constitutional jury trial rights, as articulated under the Sixth Amendment to the United States Constitution and Sections 5 and 10, Article I of the Ohio Constitution, and as applied to an adult felony sentencing in accordance with *State v. Foster*, 109 Ohio St.3d 1, 2006-Ohio-856, and *Blakely v. Washington* (2004), 542 U.S. 296, also apply, in a pre-*Foster* sentencing, to findings that a juvenile court has made under Ohio's adult felony sentencing statutes when the juvenile court imposed the adult portion of a blended juvenile/adult sentence under R.C. 2152.13 of Ohio's serious youthful offender statutes?”

O'Donnell and Lanzinger, JJ., dissent.

Cupp, J., not participating.

The conflict case is *In re Hill*, Allen App. No. 1-05-65, 2006-Ohio-2504.

Cause consolidated with 2007-0291, *State v. D.H.*, Franklin App. No. 06AP-250, 2006-Ohio-6953.

2007-0490. State v. McCrimon.

Cuyahoga App. No. 87617, 2006-Ohio-5722. On motion for leave to file delayed appeal. Motion denied.

Pfeifer, Lundberg Stratton and Cupp, JJ., dissent.

2007-0498. State v. McWhorter.

Cuyahoga App. No. 87443, 2006-Ohio-5438. On motion for leave to file delayed appeal. Motion denied.

Lundberg Stratton, J., dissents.

2007-0502. Joyce v. Godale.

Geauga App. No. 2006-G-2692, 2007-Ohio-473. On motion for stay of court of appeals' judgment. Motion granted.

Pfeifer and Lanzinger, JJ., dissent.

2007-0504. State v. Richardson.

Cuyahoga App. No. 87886, 2007-Ohio-8. On motion for leave to file delayed appeal. Motion denied.

Moyer, C.J., and Pfeifer, J., dissent.

2007-0511. State v. Gau.

Ashtabula App. No. 2005-A-0082, 2006-Ohio-6531. On motion for leave to file delayed appeal. Motion denied.

Pfeifer and Cupp, JJ., dissent.

2007-0512. State v. Takacs.

Lake App. No. 2005-L-176, 2006-Ohio-6698. On motion for leave to file delayed appeal. Motion denied.

Pfeifer, J., dissents.

2007-0536. Bunkers v. Bunkers.

Wood App. No. WD-06-030, 2007-Ohio-561. On motion for stay of court of appeals' judgment. Motion denied.

O'Donnell and Cupp, JJ., dissent.

2007-0572. Weston, Inc. v. Browning-Ferris Ind. Of Ohio, Inc.

Cuyahoga App. No. 89051. On motion for stay or, in the alternative, motion for a constructive trust. Motion denied.

APPEALS ACCEPTED FOR REVIEW

2006-1682. Kirchner v. Shooters on the Water, Inc.

Cuyahoga App. No. 86919, 167 Ohio App.3d 708, 2006-Ohio-3583. Discretionary appeal accepted on Proposition of Law No. I; cause held for the decision in 2007-0288 and 2007-0410, *Ahmad v. AK Steel Corp.*, Butler App. No. CA2006-04-089, 2006-Ohio-7031; and briefing schedule stayed.

Pfeifer, J., would accept the appeal on all Propositions of Law.
Lundberg Stratton, J., dissents.

2006-2395. Estate of Graves v. Circleville.

Ross App. No. 06CA2900, 2006-Ohio-6626. Discretionary appeal accepted on Proposition of Law No. I; cause held for the decision in 2006-1528 and 2006-1589, *Hubbell v. Xenia*, Greene App. No. 2005 CA 99, 2006-Ohio-3369; and briefing schedule stayed.

Pfeifer and Lundberg Stratton, JJ., dissent.

2007-0113. Schlegel v. Gindlesberger.

Holmes App. No. 05 CA 11, 2006-Ohio-6917.

Cupp, J., would also hold the cause for the decision in 2005-1593 and 2005-1926, *LeRoy v. Allen, Yurasek & Merklin*, Union App. No. 14-04-49, 162 Ohio App.3d 155, 2005-Ohio-4452.

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

2007-0114. Cleveland Constr., Inc. v. Cincinnati.

Hamilton App. Nos. C-050749, C-050779, and C-050888, 2006-Ohio-6452. Discretionary appeal accepted on Proposition of Law Nos. I and III.

O'Donnell, J., would accept the appeal on Proposition of Law No. I only.

Lanzinger, J., would accept the appeal on Proposition of Law No. III only.

Pfeifer and Cupp, JJ., dissent.

2007-0152. Cristino v. Ohio Bur. of Workers' Comp.

Cuyahoga App. No. 87567, 2006-Ohio-5921. Discretionary appeal accepted on Proposition of Law No. I.

Lundberg Stratton, O'Donnell and Lanzinger, JJ., would also accept the appeal on Proposition of Law No. II.

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

2007-0210. State ex rel. Gen. Motors Corp. v. Indus. Comm.

Franklin App. No. 06AP-373, 2006-Ohio-6786. Discretionary appeals accepted.

O'Connor, J., would accept the appeal of appellant Industrial Commission of Ohio on Proposition of Law Nos. I and III only.

2007-0254. Ohio Civ. Rights Comm. v. Akron Metro. Hous. Auth.

Summit App. Nos. 23060 and 25036, 2006-Ohio-6967.

Pfeifer, J., dissents.

2007-0268. State v. Smith.

Hamilton App. No. C-060077, 2006-Ohio-6980. Discretionary appeal accepted on Proposition of Law No. I.

Pfeifer and O'Connor, JJ., would also accept the appeal on Proposition of Law No. II.

Moyer, C.J., Lundberg Stratton and O'Donnell, JJ., dissent.

2007-0288. Ahmad v. AK Steel Corp.

Butler App. No. CA2006-04-089, 2006-Ohio-7031. Discretionary appeal accepted and cause consolidated with 2007-0410, *Ahmad v. AK Steel Corp.*, Butler App. No. CA2006-04-089, 2006-Ohio-7031.

2007-0291. State v. D.H.

Franklin App. No. 06AP-250, 2006-Ohio-6953. Discretionary appeal accepted on Proposition of Law No. I and cause consolidated with 2007-0472, *State v. D.H.*, Franklin App. No. 06AP-250, 2006-Ohio-6953.

Pfeifer, J., would also accept the appeal on Proposition of Law No. II.

Cupp, J., not participating.

2007-0293. State v. Bates.

Miami App. No. 06-CA-08, 2006-Ohio-7086. Discretionary appeal accepted and cause consolidated with 2007-0304, *State v. Bates*, Miami App. No. 06-CA-08, 2006-Ohio-7086.

Pfeifer, Lundberg Stratton and Lanzinger, JJ., dissent.

Michael R. Gladman of Columbus, Ohio, is appointed to represent appellant on a pro bono basis.

2007-0305. Sexton v. Mason.

Warren App. No. CA2006-02-026, 2007-Ohio-38. Discretionary appeal accepted on Proposition of Law No. I.

Pfeifer, Lundberg Stratton and Cupp, JJ., dissent.

2007-0307. Dworning v. Euclid.

Cuyahoga App. No. 87757, 2006-Ohio-6772. Discretionary appeal accepted on Proposition of Law Nos. I and II.

Lundberg Stratton and Cupp, JJ., would also accept the appeal on Proposition of Law No. III.

Pfeifer, O'Donnell and Lanzinger, JJ., dissent.

APPEALS NOT ACCEPTED FOR REVIEW

2006-2226. Soler v. Evans, St. Clair & Kelsey.
Franklin App. No. 04AP-314, 2006-Ohio-5402.

2007-0036. Bowling Green v. Barger.
Wood App. No. WD-05-082, 2006-Ohio-6187.

2007-0040. State v. Mayle.
Morgan App. No. CA-06-006, 2006-Ohio-6239.

2007-0042. State v. Martin.
Trumbull App. No. 2005-T-0041, 2006-Ohio-6202.

2007-0054. State v. Pope.
Hamilton App. No. C-051005.

2007-0059. State v. Franklin.
Highland App. Nos. 05CA20 and 05CA21, 2006-Ohio-6369.

2007-0080. State v. O'Neal.
Hamilton App. No. C-050840, 2006-Ohio-6283.
Pfeifer and O'Connor, JJ., dissent.

2007-0090. State v. Thomas.
Cuyahoga App. No. 87666, 2006-Ohio-6588.

2007-0091. Twiddy v. Twiddy.
Stark App. No. 2006CA00036, 2006-Ohio-6400.
O'Donnell, J., dissents.

2007-0094. State v. Speakman.
Franklin App. No. 06AP-408, 2006-Ohio-6378.

2007-0100. State v. Butcher.
Ashtabula App. No. 2005-A-0033, 2007-Ohio-118.
Lundberg Stratton, O'Connor and O'Donnell, JJ., dissent.

2007-0106. State v. Gregory.
Clinton App. No. CA2006-05-016, 2006-Ohio-7037.

2007-0115. Hyden v. Kroger Co.

Franklin App. No. 06AP-446, 2006-Ohio-6430.

2007-0118. State v. Searles.

Morgan App. No. 05 CA 26, 2006-Ohio-6726.

2007-0125. State v. Ramey.

Franklin App. No. 06AP-245, 2006-Ohio-6429.

Moyer, C.J., O'Donnell and Lanzinger, JJ., dissent and would accept the appeal and hold the cause for the decision in 2007-0052, *State v. Simkins*, Cuyahoga App. No. 87692, 2006-Ohio-6028.

2007-0128. State v. Schewirey.

Mahoning App. No. 05 MA 155, 2006-Ohio-7054. Discretionary appeal and cross-appeal not accepted.

Lanzinger, J., dissents and would accept the appeal.

2007-0129. Luetzow v. Am. Select Ins. Co.

Hamilton App. No. C-060259.

Pfeifer, J., dissents.

2007-0132. State v. Holloman.

Franklin App. No. 06AP-608, 2006-Ohio-6789.

2007-0133. Wilson v. Sanson.

Cuyahoga App. No. 87685, 2006-Ohio-6269.

2007-0135. Trevena v. PrimeHealth.

Lake App. No. 2005-L-163, 2006-Ohio-6535.

Lundberg Stratton and O'Connor, JJ., dissent.

Lanzinger, J., dissents and would accept the appeal on Proposition of Law No. II.

2007-0137. State v. Lott.

Licking App. Nos. 06CA27 and 06CA28, 2006-Ohio-6796.

2007-0139. Citifinancial, Inc. v. Haller-Lynch.

Lorain App. No. 06CA008893, 2006-Ohio-6908.

2007-0143. Wadsworth v. Yannerilla.

Wayne App. No. 06CA0019, 2006-Ohio-6477.

Moyer, C.J., dissents and would accept the appeal on Proposition of Law No. I.

2007-0144. State v. Powers.

Clinton App. No. CA2006-01-002, 2006-Ohio-6547.

2007-0146. Jung v. Envirotech Sys. Corp.

Cuyahoga App. No. 87604, 2006-Ohio-6278.

O'Donnell, J., dissents.

2007-0147. State v. Ransom.

Van Wert App. No. 15-06-05, 2006-Ohio-6490.

2007-0150. Bench Signs Unlimited v. Stark Area Regional Transit Auth.

Summit App. No. 23204, 2006-Ohio-6556.

O'Connor, J., not participating.

2007-0151. Parma v. Ries.

Cuyahoga App. No. 88975.

2007-0155. Horine v. Vineyard Community Church.

Hamilton App. No. C-060097, 2006-Ohio-6620.

O'Connor, J., dissents and would accept the appeal on Proposition of Law Nos. I and II.

2007-0159. Granger v. Neuhaus.

Cuyahoga App. No. 89123.

2007-0161. Safe Auto Ins. Co. v. Koroma.

Franklin App. No. 06AP-630, 2006-Ohio-6742.

2007-0163. State v. Suttles.

Franklin App. Nos. 06AP-636 and 06AP-637.

2007-0164. Trustcorp Mortgage Co. v. Zajac.

Hamilton App. No. C-060119, 2006-Ohio-6621. Discretionary appeal not accepted.

Moyer, C.J., Lundberg Stratton and O'Connor, JJ., dissent.

Motion for admission pro hac vice of Dale W. Eikenberry by Matthew C. Blickensderfer granted.

2007-0165. Galloway v. Khan.

Franklin App. No. 06AP-140, 2006-Ohio-6637.

2007-0169. Baxter v. Baxter.

Lorain App. No. 06CA008977.

O'Donnell, J., dissents.

2007-0174. In re Stine.

Hancock App. No. 5-06-11, 2006-Ohio-6687.

Cupp, J., not participating.

2007-0175. State v. Welch.

Wyandot App. No. 16-06-02, 2006-Ohio-6684.

2007-0181. In re Wedgewood Realty, LLC.

Franklin App. No. 06AP-273, 2006-Ohio-6734.

Lanzinger, J., dissents.

Cupp, J., dissents and would accept the appeal on Proposition of Law No. III.

2007-0185. Hoover v. Record Publishing Co.

Summit App. No. 23187, 2006-Ohio-6752.

Pfeifer and Lanzinger, JJ., dissent.

2007-0188. Gregory v. Kodz.

Ashland App. No. 06COA007, 2006-Ohio-6794.

2007-0190. PNC Bank, N.A. v. Sedivy.

Lake App. Nos. 2004-L-102, 2005-L-033 and 2005-L-081, 2006-Ohio-6694.

2007-0191. State v. Koch.

Warren App. No. CA2006-02-015, 2006-Ohio-6702.

2007-0192. Brown v. Mariano.

Lorain App. No. 05CA008820, 2006-Ohio-6671.

Lundberg Stratton, J., dissents and would accept the appeal on Proposition of Law No. II.

2007-0196. State v. Bean.

Franklin App. No. 06AP-208, 2006-Ohio-6745.

2007-0197. State v. Jackson.

Stark App. No. 2005 CA 00309, 2006-Ohio-6728.

2007-0200. State v. Savage.

Geauga App. No. 2005-G-2663, 2006-Ohio-6883.

2007-0201. LeFever v. Licking Cty. Coroner's Office.

Licking App. No. 06-CA-13, 2006-Ohio-6795.

Cupp, J., dissents.

2007-0202. Spurlock v. Buckeye Boxes, Inc.

Franklin App. No. 06AP-291, 2006-Ohio-6784.

Pfeifer, J., dissents.

2007-0211. Spears v. Spears.

Franklin App. No. 06AP-705, 2006-Ohio-6747.

2007-0215. Lightner v. Riverfront Apts. Ltd. Partnership.

Lucas App. No. L-05-1393.

2007-0217. State v. Sargent.

Hamilton App. No. C-050565, 2006-Ohio-6823.

Lundberg Stratton, J., dissents.

2007-0221. Oscherwitz v. Cincinnati Ctr. for Psychoanalysis, Inc.

Hamilton App. No. C-060831.

Pfeifer, J., dissents.

2007-0224. State v. DiCarlo.

Mahoning App. No. 02 CA 228, 2006-Ohio-7080.

2007-0225. State v. Henry.

Pickaway App. No. 06CA8, 2006-Ohio-6942.

2007-0240. State v. Sheppard.

Hamilton App. Nos. C-060042 and C-060066, 2007-Ohio-24.

2007-0244. State v. Stevens.

Hamilton App. No. C-060429.

2007-0249. State v. Boyer.

Franklin App. No. 06AP-05, 2006-Ohio-6992.

Pfeifer, J., dissents.

2007-0271. State v. Larry.

Cuyahoga App. No. 87534, 2006-Ohio-6578.

2006-0275. State v. Bruce.

Hamilton App. No. C-060456, 2007-Ohio-175.

2007-0278. State v. Edwards.

Franklin App. No. 05AP-828, 2006-Ohio-6987.

2007-0290. State v. Premoh.

Hamilton App. No. C-050876.

2007-0299. State v. Yavari.

Franklin App. No. 06AP-1143.

2007-0350. State v. Haney.

Clermont App. No. CA2005-07-068, 2006-Ohio-3899.

Pfeifer, J., dissents.

2007-Ohio-0383. State v. Reeves.

Franklin App. No. 05AP-158, 2005-Ohio-5838.

2007-0395. State v. Cleaver.

Montgomery App. No. 21387, 2006-Ohio-5962.

RECONSIDERATION OF PRIOR DECISIONS

2006-0789. State ex rel. Lanham v. Smith.

In Mandamus. Reported at 112 Ohio St.3d 527, 2007-Ohio-609, 861 N.E.2d 530.

On motion for reconsideration. Motion denied.

2006-1451. State ex rel. Domico v. Indus. Comm.

Franklin App. No. 05AP-805. Reported at 112 Ohio St.3d 546, 2007-Ohio-807, 862 N.E.2d 91. On motion for reconsideration. Motion denied.

Pfeifer, J., dissents.

2006-2227. Peterman v. Stewart.

Delaware App. No. 05-CAE-12-0082, 2006-Ohio-4671. Reported at 113 Ohio St.3d 1415, 2007-Ohio-1036, 862 N.E.2d 844. On motion for reconsideration. Motion denied.

2006-2238. State v. Rice.

Warren App. No. CA2006-01-002, 2006-Ohio-5511. Reported at 113 Ohio St.3d 1415, 2007-Ohio-1036, 862 N.E.2d 844. On motion for reconsideration. Motion denied.

Moyer, C.J., and O'Connor, J., dissent.

2007-0007. State ex rel. Griffin v. Davies.

In Mandamus. Reported at 113 Ohio St.3d 1411, 2007-Ohio-1036, 862 N.E.2d 841. On motion for reconsideration. Motion denied.