

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

October 24, 2007

[Cite as *10/24/2007 Case Announcements*, 2007-Ohio-5567.]

MERIT DECISIONS WITH OPINIONS

In re Criminal Sentencing Cases, Slip Opinion No. 2007-Ohio-5551.

Dispositions of currently pending appeals and certified conflicts entered, based on the decision in *State v. Payne*, 114 Ohio St.3d 502, 2007-Ohio-4642, 873 N.E.2d 306. See entry.

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

Pfeifer, J., dissents.

2006-1263. Manley v. Marsico, Slip Opinion No. 2007-Ohio-5543.

Clinton App. No. CA2006-04-013. Judgment affirmed.

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

2007-0238. State ex rel. Citizens for Open, Responsive & Accountable Govt. v. Register, Slip Opinion No. 2007-Ohio-5542.

In Mandamus. Writ granted in part and denied in part.

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

2007-0746. Dayton Bar Assn. v. Rogers, Slip Opinion No. 2007-Ohio-5544.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 05-039. Richard Hunter Rogers, Attorney Registration No. 0017858, is suspended from the practice of law in Ohio for two years.

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

2007-1011. Heydon v. Ohio Dept. of Commerce, Slip Opinion No. 2007-Ohio-5553.

Summit App. No. 23391, 2007-Ohio-1818. Discretionary appeal accepted. Judgment reversed and cause remanded.

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

O'Donnell, J., concurs separately.

Pfeifer, J., dissents for the reasons stated in his separate opinion in *Hughes v. Ohio Dept. of Commerce*, 114 Ohio St.3d 47, 2007-Ohio-2877, 868 N.E.2d. 246.

2007-1148. Columbus Bar Assn. v. DeVillers, Slip Opinion No. 2007-Ohio-5552.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 06-054. Sean Patrick DeVillers, Attorney Registration No. 0066963, is suspended from the practice of law in Ohio for two years, and probation is imposed following reinstatement.

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

MERIT DECISIONS WITHOUT OPINIONS

2006-1834. State ex rel. Girard v. Bernard.

In Prohibition. On motion to dismiss and motion to strike. Motion to dismiss granted. Motion to strike denied as moot. Cause dismissed.

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

Pfeifer, J., dissents and would grant an alternative writ.

2007-0945. Austin v. Austin.

In Prohibition. On motions to dismiss. Motions to dismiss granted. Motion to strike motions to dismiss and motion to correct error denied as moot. Cause dismissed.

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

2007-1453. State ex rel. Cincinnati Enquirer v. Guzman.

In Mandamus. On answer of respondent and motion for judgment on the pleadings. Motion for judgment on the pleadings granted. Cause dismissed.

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

2007-1519. Clumm v. Ohio Dept. of Rehab. & Corr.

In Prohibition. On answer of respondents and motion for judgment on the pleadings. Motion for judgment on the pleadings granted. Cause dismissed.

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

2007-1541. State ex rel. German v. Tracey.

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

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

2007-1542. State ex rel. Millow v. Court of Appeals, First Appellate Dist.

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

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

2007-1590. State ex rel. Martin. v. Clinchot.

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

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

2007-1591. State ex rel. Jones v. Boggins.

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

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

2007-1613. Walker v. O'Farrell.

In Prohibition. On motion to dismiss. Motion to dismiss granted. Motion for leave to intervene denied as moot. Cause dismissed.

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

2007-1659. GNFH, Inc. v. W. Am. Ins. Co.

Miami App. No. 06-CA-50, 172 Ohio App.3d 127, 2007-Ohio-2722. On review of order certifying a conflict. The court determines that no conflict exists. This cause is therefore dismissed.

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

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

2007-1678. State ex rel. Pearl v. Moore.

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

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

MOTION AND PROCEDURAL RULINGS

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

Hamilton App. Nos. C-050749, C-050779 and C-050888, 169 Ohio App.3d 627, 2006-Ohio-6452. On motion for admission pro hac vice of Sharon L. Browne and Ralph W. Kasarda by David M. Gareau. Motion granted.

2007-0291 and 2007-0472. State v. D.H.

Franklin App. No. 06AP-250, 169 Ohio App.3d 798, 2006-Ohio-6953. On motion for admission pro hac vice of Benjamin C. Mizer by William P. Marshall. Motion granted.

2007-0837. State ex rel. Hill v. Fleegle.

In Mandamus. On motion for writ of coram vobis. Motion denied.

2007-1376. State v. Airwyke.

Trumbull App. No. 2006-T-0073, 2007-Ohio-3199. On motion for bail and stay of execution of sentence. Motion denied.

O'Connor, J., not participating.

2007-1382. State ex rel. Columbus S. Power Co. v. Fais.

In Prohibition. On motion for leave to intervene and answer of intervening respondent. Motion for leave to intervene granted. Sua sponte, an 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 its brief within ten days of the filing of the evidence; respondents shall file their briefs within 20 days after the filing of

relator's brief, and relator may file a reply brief within seven days after the filing of respondents' briefs.

2007-1618. State v. Kiracofe.

Allen App. No. 1-06-28. On motion for leave to file delayed appeal. Motion denied.

Pfeifer, J., dissents.

2007-1655. State v. Abner.

Stark App. No. 2006 CA 00180, 2007-Ohio-3053. On motion for leave to file delayed appeal. Motion denied.

Pfeifer and Lundberg Stratton, JJ., dissent.

2007-1700. State v. Wallace.

Lorain App. No. 06CA008889, 2006-Ohio-5819. On motion for leave to file delayed appeal. Motion denied.

2007-1702. State v. Thomas-Kuhns.

Portage App. No. 2006-P-0012, 2007-Ohio-3851. On motion for stay of court of appeals' judgment. Motion denied.

APPEALS ACCEPTED FOR REVIEW

2007-0670. State v. Vogt.

Stark App. No. 2006CA00183, 2007-Ohio-488. Discretionary appeal accepted; cause held for the decision in 2007-0052, *State v. Simpkins*, Cuyahoga App. No. 87692, 2006-Ohio-6028; and briefing schedule stayed.

2007-1185. State v. Johnson.

Cuyahoga App. No. 88169, 2007-Ohio-2225. Discretionary appeal accepted on Proposition of Law No. I; cause held for the decision in 2007-0184, *State v. Brown*, Cuyahoga App. No. 87651, 2006-Ohio-6267; and briefing schedule stayed.

Pfeifer and Lanzinger, JJ., dissent.

2007-1203. State v. Balderson.

Stark App. No. 2006-CA-00226, 2007-Ohio-2463. Discretionary appeal accepted; cause held for the decision in 2007-0052, *State v. Simpkins*, Cuyahoga App. No. 87692, 2006-Ohio-6028; and briefing schedule stayed.

Pfeifer, J., dissents.

2007-1211. State v. Dankworth.

Miami App. No. 06-CA-21, 2007-Ohio-2588.

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

2007-1269. State v. Harmon.

Hamilton App. No. C-060614. Discretionary appeal accepted on Proposition of Law No. I; cause held for the decision in 2007-0052, *State v. Simpkins*, Cuyahoga App. No. 87692, 2006-Ohio-6028; and briefing schedule stayed.

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

2007-1407. State v. Ross.

Ashtabula App. No. 2006-A-0088, 2007-Ohio-3388. Discretionary appeal accepted; cause held for the decision in 2007-0052, *State v. Simpkins*, Cuyahoga App. No. 87692, 2006-Ohio-6028; and briefing schedule stayed.

Pfeifer, J., dissents.

APPEALS NOT ACCEPTED FOR REVIEW

2007-0809. State v. Mallette.

Cuyahoga App. No. 87984, 2007-Ohio-715.

2007-0892. Lyons v. Doe.

Hamilton App. No. C-060254.

Pfeifer, J., dissents.

2007-0967. State v. Johnson.

Guernsey App. No. 2006-CA-04, 2007-Ohio-1685.

2007-1024. Friga v. E. Cleveland.

Cuyahoga App. No. 88262, 2007-Ohio-1716.

2007-1030. Valente v. Johnson.

Athens App. Nos. 06CA31 and 06CA38, 2007-Ohio-2664.

2007-1087. State v. Flege.

Greene App. No. 06-CA-113, 2007-Ohio-2134.

2007-1102. Timeoni v. Ciancibelli.

Ashtabula App. No. 2006-A-0077, 2007-Ohio-2312.

Lundberg Stratton, J., dissents.

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

2007-1104. State v. Bizzell.

Clinton App. No. CA2006-04-015, 2007-Ohio-2160.

2007-1109. State v. Phillips.

Warren App. No. CA2006-09-111.

2007-1121. Jackson v. Richardson.

Hamilton App. No. C-060613.

Lanzinger, J., dissents.

2007-1123. State v. Turner.

Licking App. No. 06CA83, 2007-Ohio-2359.

2007-1124. State v. Poston.

Pickaway App. No. 06CA15, 2007-Ohio-3936.

Lundberg Stratton, J., dissents and would accept the appeal and hold the cause for the decision in 2006-1973, *State v. Sarkozy*, Cuyahoga App. No. 86952, 2006-Ohio-3977.

Lanzinger and Cupp, JJ., dissent.

2007-1130. State v. Bailey.

Cuyahoga App. No. 89871.

2007-1134. Kim's Auto & Truck Serv., Inc. v. Toledo.

Lucas App. No. L-06-1274, 172 Ohio App.3d 1, 2007-Ohio-2260.

Lundberg Stratton, J., dissents.

2007-1138. State v. Chaney.

Cuyahoga App. No. 88529, 2007-Ohio-2231.

2007-1143. State v. Wallace.

Miami App. No. 06CA20, 2007-Ohio-2346.

2007-1145. State v. Alton.

Cuyahoga App. No. 88079, 2007-Ohio-2109.

2007-1147. Cincinnati v. Wood.

Hamilton App. No. C-060212, 2007-Ohio-2534.
Moyer, C.J., and Lundberg Stratton, J., dissent.

2007-1150. State v. Rhoads.

Adams App. No. 06CA827, 2007-Ohio-3890.

2007-1151. State v. Weis.

Mercer App. No. 10-06-22, 2007-Ohio-2279.
Moyer, C.J., dissents.

2007-1155. Merz v. Motorists Mut. Ins. Co.

Butler App. No. CA2006-08-203, 2007-Ohio-2293.
Pfeifer, J., dissents.

2007-1156. State v. McCarty.

Butler App. No. CA2006-04-093, 2007-Ohio-2290.

2007-1160. State v. Taylor.

Montgomery App. No. 21839, 2007-Ohio-2413.

2007-1162. State v. Glover.

Cuyahoga App. No. 88317, 2007-Ohio-2122.

2007-1163. Gabriel Performance Prods., LLC v. Cognis Corp.

Ashtabula App. No. 2006-A-0071, 2007-Ohio-2307.

2007-1165. State v. Daniels.

Putnam App. No. 12-06-15, 2007-Ohio-2281.
Cupp, J., not participating.

2007-1166. State v. Gipson.

Allen App. No. 1-06-67, 2007-Ohio-2285.
Cupp, J., not participating.

2007-1167. Basham v. Basham.

Scioto App. No. 06CA3085, 2007-Ohio-3941.

2007-1168. Canfora v. Coiro.

Lake App. No. 2006-L-105, 2007-Ohio-2314.

2007-1169. State v. Ashbrook.

Stark App. No. 2006CA00193, 2007-Ohio-2325.

2007-1170. State v. Detlor.

Union App. No. 14-06-40, 2007-Ohio-2283.

Cupp, J., not participating.

2007-1171. State v. Pesta.

Clinton App. No. CA2006-02-004, 2007-Ohio-2295.

2007-1172. Straley v. Garg.

Clark App. No. 06CA0107, 2007-Ohio-2367.

2007-1178. State v. Watts.

Montgomery App. No. 21982, 2007-Ohio-2411.

2007-1179. State v. Conyers.

Hamilton App. Nos. C-060491, C-060492 and C-060493.

2007-1180. State v. Obsaint.

Hamilton App. No. C-060629, 2007-Ohio-2661.

2007-1182. State v. Bowers.

Hocking App. No. 06CA7, 2007-Ohio-3986.

2007-1183. State v. Mathis.

Summit App. No. 23507, 2007-Ohio-2345.

2007-1186. In re Guardianship of Brady.

Cuyahoga App. No. 88294, 2007-Ohio-2119.

2007-1191. In re Lee J.

Sandusky App. No. S-06-030, 2007-Ohio-2400.

Lundberg Stratton, J., dissents and would accept the appeal on Proposition of Law No. I and hold the cause for the decision in 2007-0291 and 2007-0472, *State v. D.H.*, Franklin App. No. 06AP-250, 169 Ohio App.3d 798, 2006-Ohio-6953.

O'Donnell and Cupp, JJ., dissent and would accept the appeal on Proposition of Law Nos. I and II and hold the cause for the decision in *State v. D.H.*

2007-1192. State v. Babos.

Lucas App. Nos. L-05-1394, L-05-1424 and L-06-1209, 2007-Ohio-2393.

2007-1198. State v. Richardson.

Mahoning App. No. 06 MA 132.

2007-1200. State v. Barnes.

Lorain App. No. 06CA009034, 2007-Ohio-2460.

2007-1201. State v. Jester.

Hamilton App. No. C-060740.

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

2007-1204. Oakley v. Nolan.

Athens App. No. 06CA22, 2007-Ohio-2794.

2007-1205. Nead v. Brown Cty. Gen. Hosp.

Brown App. No. CA2005-09-018, 2007-Ohio-2443.

2007-1207. State v. McCollins.

Cuyahoga App. No. 88657, 2007-Ohio-2380.

2007-1214. State v. Sevayega.

Cuyahoga App. No. 83392, 2004-Ohio-4909.

O'Donnell, J., not participating.

2007-1219. Margolis v. Stratemeyer.

Hamilton App. No. C-060590.

O'Donnell, J., dissents.

2007-1221. State v. Harper.

Franklin App. No. 06AP-733, 2007-Ohio-2590.

2007-1232. State v. Duncan.

Lake App. No. 2006-L-154, 2007-Ohio-2577.

2007-1236. State v. Wirtz.

Butler App. No. CA2006-09-240, 2007-Ohio-2557.

2007-1238. State v. Thompson.

Washington App. Nos. 06CA43 and 06CA50, 2007-Ohio-2724.

2007-1239. State v. Stanley.

Franklin App. No. 06AP-323, 2007-Ohio-2786.

2007-1242. Rozzi v. Star Personnel Servs., Inc.

Butler App. No. CA2006-07-162, 2007-Ohio-2555.

Pfeifer and O'Donnell, JJ., dissent.

2007-1244. State v. Najeeb.

Cuyahoga App. No. 89734.

2007-1248. State v. Townsend.

Cuyahoga App. No. 88065, 2007-Ohio-2370.

Lundberg Stratton and Cupp, JJ., dissent and would accept the appeal on Proposition of Law No. I and hold the cause for the decision in 2007-0651, *State v. Cabrales*, Hamilton App. No. C-050682, 2007-Ohio-857.

O'Connor, J., dissents and would accept the appeal and hold the cause for the decision in 2007-0651, *State v. Cabrales*.

2007-1249. State v. Coats.

Mercer App. No. 10-07-07.

2007-1251. State v. Coats.

Mercer App. No. 10-07-08.

2007-1252. State v. Smith.

Medina App. No. 06CA0070-M, 2007-Ohio-2841.

2007-1257. Regency Plaza, LLC v. Morantz.

Franklin App. No. 06AP-837, 2007-Ohio-2594.

2007-1259. Cent. Commt. of the Hamilton Cty. Republican Party v. Dalton.

Hamilton App. No. C-060269.

2007-1263. State v. Moody.

Franklin App. No. 06AP-1034, 2007-Ohio-2938.

2007-1264. State v. Hogan.

Mahoning App. No. 06 MA 152, 2007-Ohio-3334.

O'Donnell, J., dissents and would accept the appeal on Proposition of Law No. IV.

2007-1266. Portage Cty. Bd. of Mental Retardation & Dev. Disabilities v. Portage Cty. Educators Assn. for the Mentally Retarded.

Portage App. No. 2006-P-0111, 2007-Ohio-2569.

2007-1267. State v. Johnson.

Franklin App. No. 06AP-878, 2007-Ohio-2792.

Pfeifer, J., dissents.

2007-1271. Howard v. Howard.

Pike App. No. 06CA755, 2007-Ohio-3940.

Pfeifer, J., dissents.

2007-1272. State v. Holloway.

Cuyahoga App. Nos. 86426 and 86427, 2007-Ohio-2221.

2007-1275. State v. Keeling.

Hamilton App. No. C-060718.

2007-1278. State v. Vanderhoof.

Lake App. Nos. 2006-L-220, 2006-L-218 and 2006-L-219, 2007-Ohio-2854.

2007-1279. State v. Schaub.

Lake App. No. 2006-L-126, 2007-Ohio-2853.

2007-1280. GNFH, Inc. v. W. Am. Ins. Co.

Miami App. No. 06-CA-50, 172 Ohio App.3d 127, 2007-Ohio-2722.

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

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

2007-1281. State v. Barber.

Fairfield App. No. 07-CA-37.

2007-1283. State v. Crowe.

Hamilton App. No. C-070390.

2007-1284. State v. Hardie.

Washington App. No. 06CA37, 171 Ohio App.3d 429, 2007-Ohio-2755.

2007-1285. State v. Sammie.

Hamilton App. No. C-070328.

2007-1288. State v. Griffith.

Franklin App. No. 07AP-288. Discretionary appeal not accepted. Motion for transcript of proceedings denied as moot.

2007-1293. State v. Smith.

Hamilton App. No. C-060133.

O'Connor, J., dissents and would accept the appeal on Proposition of Law No. I and hold the cause for the decision in 2007-0651, *State v. Cabrales*, Hamilton App. No. C-050682, 2007-Ohio-857.

2007-1300. State v. Johnson.

Cuyahoga App. No. 88372, 2007-Ohio-2501.

2007-1309. Smalley v. Friedman, Damiano & Smith Co., L.P.A.

Cuyahoga App. No. 88398, 172 Ohio App.3d 108, 2007-Ohio-2646.

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

2007-1314. State v. Wood.

Medina App. No. 06CA0044-M, 2007-Ohio-2673.

Pfeifer, J., dissents.

2007-1319. Scouler v. Ohio Dept. of Job & Family Servs.

Franklin App. No. 06AP-1035, 2007-Ohio-2650.

2007-1326. Caudill v. Frisch's Restaurants, Inc.

Hamilton App. No. C-060620.

2007-1338. State v. Sevilla.

Franklin App. No. 06AP-954, 2007-Ohio-2789.

2007-1353. Chadwell v. Ohio State Racing Comm.

Franklin App. No. 06AP-1226, 2007-Ohio-2727.

2007-1356. Grieshop v. Hoying.

Mercer App. No. 10-06-27, 2007-Ohio-2861.

2007-1365. State v. Henthorn.

Washington App. No. 06CA62, 2007-Ohio-2960.

2007-1369. State v. Goens.

Butler App. No. CA2006-11-297, 2007-Ohio-1888.

2007-1383. State v. Collins.

Hamilton App. No. C-060460.

2007-1389. State v. Whitfield.

Franklin App. No. 07AP-435.

2007-1391. Myles v. Johnson.

Montgomery App. No. 21600, 2007-Ohio-2963.

2007-1395. State v. Qualls.

Meigs App. No. 06CA7, 2007-Ohio-3938.

2007-1425. State v. Parks.

Columbiana App. No. 04 CO 19, 2007-Ohio-3145.

2007-1431. State v. White.

Franklin App. No. 06AP-607, 2007-Ohio-3217.

2007-1458. State v. Hudson.

Franklin App. No. 06AP-335, 2007-Ohio-3227.

2007-1461. State v. Bigelow.

Lucas App. No. L-97-1330.

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

2007-1527. State v. White.

Ashland App. No. 2006-COA-014, 2007-Ohio-3424.

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

2007-1616. State v. Jones.

Montgomery App. No. 21522, 2007-Ohio-1035.

2007-1637. In re Craig.

Tuscarawas App. No. 2007 AP 03 0017, 2007-Ohio-3726.

2007-1644. In re Adoption of S.A.H.

Ross App. No. 07CA2947, 2007-Ohio-3710.

RECONSIDERATION OF PRIOR DECISIONS

2007-0123. State ex rel. Danziger v. Yarbrough.

Sandusky App. No. S-06-034, 2006-Ohio-6811. Reported at 114 Ohio St.3d 261, 2007-Ohio-4009, 871 N.E.2d 593. On motion for reconsideration. Motion denied.
Pfeifer, Lundberg Stratton, and Lanzinger, JJ., dissent.

2007-0661. State v. Mullins.

Franklin App. No. 06AP-640, 2007-Ohio-796. Reported at 114 Ohio St.3d 1508, 2007-Ohio-4285, 872 N.E.2d 950. On motion for reconsideration. Motion denied.

2007-0705. McFadden v. Cleveland State Univ.

Franklin App. No. 06AP-638, 2007-Ohio-298 and 170 Ohio App.3d 142, 2007-Ohio-939. On motion for reconsideration. Motion for reconsideration granted and discretionary appeal accepted.

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

2007-0710. State v. Sieng.

Franklin App. No. 06AP-852, 2007-Ohio-1502. Reported at 114 Ohio St.3d 1509, 2007-Ohio-4285, 872 N.E.2d 951. On motion for reconsideration. Motion denied.

2007-0753. Conway v. RPM, Inc.

Cuyahoga App. No. 88024, 2007-Ohio-1007. Reported at 114 Ohio St.3d 1510, 2007-Ohio-4285, 872 N.E.2d 951. On motion for reconsideration. Motion denied.

2007-0754. State v. Nucklos.

Clark App. No. 06CA0023, 171 Ohio App.3d 38, 2007-Ohio-1025. Reported at 114 Ohio St.3d 1507, 2007-Ohio-4285, 872 N.E.2d 949. On motion for reconsideration. Motion denied.

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

Motion for admission pro hac vice of John P. Flannery II by Larry W. Zukerman granted.

2007-0906. Brody v. SCR-SCP, Inc.

Medina App. No. 06CA0062-M, 2007-Ohio-1477. Reported at 114 Ohio St.3d 1512, 2007-Ohio-4285, 872 N.E.2d 953. On motion for reconsideration. Motion denied.

Lundberg Stratton, O'Donnell, and Lanzinger, JJ., dissent.

2007-1159. State ex rel. Edwards v. Griffin.

In Prohibition. Reported at 114 Ohio St.3d 1502, 2007-Ohio-4285, 872 N.E.2d 946. On motion for reconsideration. Motion denied.