

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

December 12, 2007

[Cite as *12/12/2007 Case Announcements*, 2007-Ohio-6518.]

MERIT DECISIONS WITH OPINIONS

2006-1616. Greer-Burger v. Temesi, Slip Opinion No. 2007-Ohio-6442.

Cuyahoga App. No. 87104, 2006-Ohio-3690. Judgment reversed and cause remanded.

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

Pfeifer, Lundberg Stratton, and Lanzinger, JJ., concur in part and dissent in part.

2007-1115. Disciplinary Counsel v. Bubna, Slip Opinion No. 2007-Ohio-6436.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 06-095. Walter Peter Bubna, Attorney Registration No. 0017928, is suspended from the practice of law in Ohio for one year, with six months stayed on conditions.

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

2007-1324. State ex rel. Golson v. Moore, Slip Opinion No. 2007-Ohio-6434.

Warren App. No. CA2007-04-054. Judgment affirmed.

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

2007-1360. State ex rel. Shackelford v. Moore, Slip Opinion No. 2007-Ohio-6462.

Warren App. No. CA2007-05-059. Judgment affirmed.

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

2007-1417. In re Application of Phelps, Slip Opinion No. 2007-Ohio-6459.

On Report by the Board of Commissioners on Character and Fitness, No. 357. The application of Rachel Anne Phelps for admission to the practice of law in Ohio is disapproved, but she may reapply as of July 2008.

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

2007-1470 and 2007-1645. Neal v. A-Best Prods. Co., Slip Opinion No. 2007-Ohio-6453.

Montgomery App. No. 22026. Certified question answered and judgment reversed.

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

MERIT DECISIONS WITHOUT OPINIONS

2007-1781. State ex rel. Nash v. Court of Appeals, Eighth Appellate Dist.

In Mandamus. On respondents' motion to dismiss and relator's motion to strike the motion to dismiss. Motion to strike denied. Motion to dismiss granted. Cause dismissed.

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

2007-1808. State ex rel. Parks v. Court of Appeals, Seventh Appellate Dist.

In Procedendo. 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.

2007-1833. McEwen v. Timmerman-Cooper.

In Prohibition. On respondents' answer 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.

2007-1840. State ex rel. Baker v. Tri-Rivers Educational Computer Assn.

In Mandamus. On respondent's motion to dismiss and relator's motion to compel discovery. Motion to dismiss granted. Motion to compel discovery denied as moot. Cause dismissed.

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

Moyer, C.J., and Cupp, J., dissent and would grant an alternative writ.

2007-1894. Welton v. Dann.

In Mandamus and Prohibition. On motions to dismiss. Motions to dismiss granted. 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.

2007-1924. State ex rel. Payne v. Glaeden.

In Habeas Corpus. On petition for writ of habeas corpus of Edward Payne and respondent's motion to dismiss. Motion to dismiss granted. Cause dismissed.

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

O'Donnell, J., dissents and would grant an alternative writ.

2007-1960. Miller v. Eberlin.

In Habeas Corpus. On petition for writ of habeas corpus of Timothy A. Miller. Sua sponte, cause dismissed.

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

MOTION AND PROCEDURAL RULINGS

1992-1245. State v. Richard.

Cuyahoga App. No. 54228. On motions to vacate order and to exercise disciplinary responsibilities. Motions denied.

2003-1325. State v. Hand.

Delaware C.P. No. 02CRI-08-366. On second application for reopening under S.Ct.Prac.R. X(6). Motion denied because the appellant failed to comply with the 90-day filing deadline in S.Ct.Prac.R. XI(6)(A).

O'Connor, J., not participating.

2006-1403. State ex rel. Ebersole v. Indus. Comm.

Franklin App. No. 05AP-302, 2006-Ohio-3441. Sua sponte, the court will hear oral argument on this cause.

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 leave to add proposition of law to pending appeal and memorandum in support. Motion denied.

2007-1411. State ex rel. Glasgow v. Mandel.

In Mandamus. On answer of respondent Jones and motion for stay of proceedings of respondent Mandel.

As to respondent Mandel, the motion for stay is granted until August 14, 2008.

Pfeifer, J., would grant a stay for 90 days.

As to respondent Jones, 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 a brief within ten days of the filing of the evidence; respondent Jones 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 Jones' brief.

2007-1415. State v. Mosmeyer.

Hamilton App. No. C-060747. On motion to hold the cause for the decision in 2007-0052, *State v. Simpkins*, Cuyahoga App. No. 87692, 2006-Ohio-6028, and stay briefing schedule. Motion granted. Briefing schedule is stayed until further notice by the court.

O'Connor and Lanzinger, JJ., dissent.

2007-1762. Lager v. Miller-Gonzalez.

Lucas App. No. L-07-1022, 2007-Ohio-4094. On review of order certifying a conflict. The court determines that a conflict exists. The parties are to brief the issue stated at page 4 of the court of appeals' Decision and Judgment Entry filed September 5, 2007:

“Whether, in a claim for statutory wrongful death damages against a claimant's underinsured motorists coverage, ambiguity exists in the insurance contract when the policy grants coverage for damages sustained ‘because of bodily injury,’ yet under an other-owned auto exclusion bars coverage for damages by the less inclusive ‘for bodily injury.’ ”

Pfeifer, J., dissents.

Lanzinger and Cupp, JJ., not participating.

The conflict case is *Tuohy v. Taylor*, Defiance App. No. 4-06-23, 2007-Ohio-3597.

Sua sponte, cause consolidated with 2007-1760, *Lager v. Miller-Gonzalez*, Lucas App. No. L-07-1022, 2007-Ohio-4094.

2007-1846. State v. Gangloff.

Hamilton App. Nos. C-060481 and C-060536, 2007-Ohio-4463. On motion for stay of execution of sentence. Motion denied.

Moyer, C.J., and Cupp, J., dissent.

2007-1888. State v. Roberts.

Cuyahoga App. No. 89453. On motion for leave to file delayed appeal. Motion denied.

Pfeifer, J., dissents.

2007-1895. State v. Weimer.

Cuyahoga App. No. 88135, 2007-Ohio-3774. On motion for leave to file delayed appeal. Motion denied.

Pfeifer and O'Donnell, JJ., dissent.

2007-1898. State v. Hines.

Allen App. No. 1-06-86, 2007-Ohio-3126. On motion for leave to file delayed appeal. Motion denied.

Pfeifer, J., dissents.

2007-1899. State v. Puckett.

Franklin App. No. 06AP-330, 2006-Ohio-5696. On motion for leave to file delayed appeal. Motion denied.

2007-1906. State v. Wilder.

Butler App. No. CA2006-11-291. On motion for leave to file delayed appeal. Motion denied.

Lundberg Stratton and Cupp, JJ., dissent.

2007-1907. State v. Clardy.

Hamilton App. No. C-060527, 2007-Ohio-4193. On motion for leave to file delayed appeal. Motion granted.

O'Connor and Lanzinger, JJ., dissent.

2007-1923. State v. Greenwood.

Montgomery App. No. 21713, 2007-Ohio-4202. On motion for leave to file delayed appeal. Motion denied.

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

2007-1947. State v. Hall.

Warren App. No. CA2006-10-121. On motion for leave to file delayed appeal. Motion denied.

Pfeifer, J., dissents.

2007-1949. State v. Blackburn.

Guernsey App. No. 06 CA 37, 2007-Ohio-4282. On motion for leave to file delayed appeal. Motion denied.

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

2007-1951. State v. Norman.

Cuyahoga App. No. 87920, 2007-Ohio-629. On motion for leave to file delayed appeal. Motion denied.

Cupp, J., dissents.

2007-1958. State v. Reed.

Lucas App. No. L-06-1351, 2007-Ohio-3106. On motion for leave to file delayed appeal. Motion denied.

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

2007-1969. State v. Craft.

Butler App. No. CA2006-06-145, 2007-Ohio-4116. On motion for leave to file delayed appeal. Motion granted.

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

2007-1996. State v. Baird.

Columbiana App. No. 06-CO-4, 2007-Ohio-3400. On motion for leave to file delayed appeal. Motion denied.

Pfeifer and Cupp, JJ., dissent.

Motion for stay or to hold proceedings in abeyance denied.

2007-2010. State v. Brown.

Montgomery App. No. 21540, 2007-Ohio-2098. On motion for stay of court of appeals' judgment. Motion denied.

2007-2012. State v. Odavar.

Cuyahoga App. No. 89029, 2007-Ohio-5535. On motion for stay of court of appeals' judgment. Motion denied.

Cupp, J., dissents.

2007-2016. State v. Sowards.

Gallia App. No. 06CA13, 2007-Ohio-4863. On emergency motion to stay execution of sentence. Motion denied.

Moyer, C.J., dissents.

2007-2089. Stutes v. Harris.

Greene App. No. 2007-CA-29. On motion for stay of proceedings of court of appeals and court of common pleas. Motion denied.

APPEALS ACCEPTED FOR REVIEW

2007-1455. Beneficial Ohio, Inc. v. Ellis.

Trumbull App. No. 2006-T-0040, 2007-Ohio-3197.

Pfeifer and O'Donnell, JJ., dissent.

Cupp, J., not participating.

2007-1462. State v. Bartholomew.

Crawford App. No. 3-06-16, 2007-Ohio-3130. Discretionary appeal accepted.

Pfeifer and Lanzinger, JJ., dissent.

Motion for admission pro hac vice of Benjamin C. Mizer by William P. Marshall granted.

2007-1475. State v. Roberts.

Hamilton App. No. C-060675.

O'Donnell and Cupp, JJ., dissent.

2007-1478. State v. Jeffries.

Lake App. No. 2005-L-057, 2007-Ohio-3366.

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

2007-1545. In re Guardianship of Santrucek.

Licking App. No. 06 CA 130, 2007-Ohio-3427.

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

2007-1546. In re Guardianship of Richardson.

Montgomery App. No. 22000, 172 Ohio App.3d 410, 2007-Ohio-3462. Discretionary appeal accepted on Proposition of Law No. II.

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

O'Donnell, J., would also accept the appeal on Proposition of Law Nos. I and III.

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

2007-1588. Thorton v. Montville Plastics & Rubber, Inc.

Geauga App. No. 2006-G-2744, 2007-Ohio-3475. Discretionary appeal accepted. Motion of appellee Robert Thorton to join in the memorandum in response of appellee Administrator, Bureau of Workers' Compensation granted.

Pfeifer, Lanzinger, and Cupp, JJ., dissent.

2007-1605. State v. Pierce.

Cuyahoga App. No. 88470, 2007-Ohio-3665. Discretionary appeal accepted on Proposition of Law Nos. III and IV; cause held for the decision in 2006-2187, *Hyle v. Porter*, Hamilton App. No. C-050768, 170 Ohio App.3d 710, 2006-Ohio-5454; and briefing schedule stayed.

Moyer, C.J., and Lundberg Stratton, J., would accept the appeal on Proposition of Law No. III only.

Pfeifer and O'Donnell, JJ., would also accept the appeal on all other Propositions of Law.

Lanzinger, J., would also accept the appeal on Proposition of Law Nos. V and VI.

Cupp, J., would accept the appeal on Proposition of Law Nos. I and II without holding.

2007-1648. State v. Fleming.

Cuyahoga App. No. 88442, 2007-Ohio-3625. Discretionary appeal accepted on Proposition of Law No. III; cause held for the decision in 2007-0651, *State v. Cabrales*, Hamilton App. No. C-050682, 2007-Ohio-857; and briefing schedule stayed.

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

2007-1760. Lager v. Miller-Gonzalez.

Lucas App. No. L-07-1022, 2007-Ohio-4094. Discretionary appeal accepted and cause consolidated with 2007-1762, *Lager v. Miller-Gonzalez*, Lucas App. No. L-07-1022, 2007-Ohio-4094.

Pfeifer, J., dissents.

Lanzinger and Cupp, JJ., not participating.

APPEALS NOT ACCEPTED FOR REVIEW

2007-0937. State v. Riley.

Wood App. No. WD-03-076, 2007-Ohio-879.

2007-1056. State v. Davis.

Washington App. No. 06CA39, 2007-Ohio-1281.

O'Donnell, J., dissents and would accept the appeal and hold the cause for the decision in 2007-0475, *State v. Elmore*, Licking C.P. No. 02 CR 275.

2007-1215. State v. Bunting.

Stark App. No. 2006CA00330, 2007-Ohio-2184.

2007-1315. Croll v. Grange Mut. Cas. Co.

Erie App. Nos. E-06-057 and E-06-058, 2007-Ohio-2823. Discretionary appeal and cross-appeal not accepted.

O'Connor and O'Donnell, JJ., would accept the discretionary appeal.

2007-1429. Dannaher v. Newbold.

Franklin App. Nos. 05AP-172 and 05AP-650, 2007-Ohio-2936.

Moyer, C.J., dissents.

2007-1437. Columbus Mtge., Inc. v. Morton.

Franklin App. No. 06AP-723, 2007-Ohio-3057.

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

2007-1448. Frazier v. Pruitt.

Fairfield App. No. 2005 CA 00099, 2007-Ohio-3256.

2007-1463. DeMell v. Cleveland Clinic Found.

Cuyahoga App. No. 88505, 2007-Ohio-2924.

Pfeifer, J., dissents.

2007-1464. Gosser v. Gosser.

Trumbull App. No. 2006-T-0029, 2007-Ohio-3201.

O'Connor, J., not participating.

2007-1469. State v. Hall.

Morgan App. No. 06 CA 9, 2007-Ohio-3428.

2007-1471. State v. Carter.

Jefferson App. No. 05 JE 7, 2007-Ohio-3502.
Pfeifer, J., dissents.

2007-1479. State v. Myles.

Hamilton App. No. C-050810, 2007-Ohio-3307.

2007-1485. State v. Harris.

Cuyahoga App. No. 88914, 2007-Ohio-3926.

2007-1486. State v. Krouskoupf.

Muskingum App. No. CT07-0033.

2007-1489. Helfrich v. Mellon.

Licking App. No. 06-CA-69, 2007-Ohio-3358.

2007-1492. Meyers v. McGrath.

Franklin App. No. 06AP-616, 2007-Ohio-3228.

2007-1493. Walter v. ADT Security Sys., Inc.

Franklin App. No. 06AP-115, 2007-Ohio-3324.

2007-1498. Brotherwood v. Gonzalez.

Mercer App. No. 10-06-33, 2007-Ohio-3340.

2007-1499. Mazzitti v. Garden City Group, Inc.

Franklin App. No. 06AP-850, 2007-Ohio-3285.
Pfeifer, J., dissents.

2007-1501. State v. Haas.

Fulton App. No. F-06-025.

2007-1503. Amshoff v. Burke.

Hamilton App. No. C-060719.

2007-1504. State v. Lawwill.

Cuyahoga App. No. 88251, 2007-Ohio-2627.

2007-1505. West v. Acura of Dayton.

Montgomery App. No. 22132.

2007-1506. Metz v. Am. Elec. Power Co., Inc.

Franklin App. Nos. 06AP-1161 and 06AP-1166, 2007-Ohio-3520. Discretionary appeal and cross-appeals not accepted.

O'Connor, J., dissents and would accept the discretionary appeal.

2007-1508. State v. Bickel.

Ashland App. No. 2006-COA-034, 2007-Ohio-3517.

O'Donnell, J., dissents.

2007-1510. State ex rel. Gelesh v. State Med. Bd. of Ohio.

Franklin App. No. 06AP-1072, 172 Ohio App.3d 365, 2007-Ohio-3328.

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

2007-1511. In re A.S.

Montgomery App. Nos. 21782 and 21911, 2007-Ohio-3434.

Lundberg Stratton, J., dissents.

2007-1514. Stricker v. Stricker.

Hamilton App. No. C-060435, 2007-Ohio-3309.

2007-1516. State v. Beltowski.

Lake App. No. 2006-L-032, 2007-Ohio-3372.

2007-1518. State v. Ramsey.

Stark App. No. 2007CA00051, 2007-Ohio-3423.

2007-1535. State v. Kral.

Lake App. No. 2006-L-232, 2007-Ohio-3973.

2007-1536. State v. Cross.

Lake App. No. 2006-L-135, 2007-Ohio-3847.

2007-1537. State v. Wheat.

Hamilton App. No. C-060543.

2007-1538. State v. Aston.

Lake App. Nos. 2006-L-216 and 2006-L-217, 2007-Ohio-3972.

2007-1539. State v. Davis.

Highland App. No. 06CA21, 2007-Ohio-3944.

2007-1544. In re Puckett.

Richland App. No. 2006-CA-75, 2007-Ohio-3927.

O'Connor, J., dissents and would accept the appeal and reverse the judgment of the court of appeals on the authority of *In re C.S.*, 115 Ohio St.3d 267, 2007-Ohio-4919, 874 N.E.2d 1177.

2007-1548. State v. Kirkland.

Lake App. No. 2006-L-156, 2007-Ohio-4111.

2007-1549. Trans Rail Am., Inc. v. Hubbard Twp.

Trumbull App. No. 2006-T-0088, 2007-Ohio-3478.

Moyer, C.J., and O'Connor and O'Donnell, JJ., dissent and would accept the appeal on Proposition of Law No. I.

2007-1550. Kohrman v. Cincinnati Zoning Bd. of Appeals.

Hamilton App. Nos. C-060704 and C-060709, 2007-Ohio-3450.

2007-1552. State v. Anderson.

Summit App. No. 23604. Discretionary appeal not accepted. Motion for copy of the record of trial proceedings denied as moot.

2007-1557. State v. Thomas.

Wood App. No. WD-06-014, 2007-Ohio-3466.

2007-1559. Clements v. Mayhew.

Greene App. No. 2006 CA 126, 2007-Ohio-3700.

2007-1561. State v. Harris.

Franklin App. No. 07AP-509.

2007-1562. State v. Robinson.

Jefferson App. No. 05 JE 8, 2007-Ohio-3501.

Pfeifer, J., dissents.

2007-1564. State v. Madison.

Franklin App. No. 06AP-1126, 2007-Ohio-3547.

2007-1565. State v. Moore.

Allen App. No. 1-06-89, 2007-Ohio-3600.

2007-1566. In re S.G.

Cuyahoga App. No. 88523, 2007-Ohio-3271.

2007-1568. State v. Evans.

Montgomery App. No. 21690, 2007-Ohio-3580.

2007-1572. State v. Dunbar.

Cuyahoga App. No. 87317, 2007-Ohio-3261.

2007-1573. State v. Norris.

Muskingum App. No. CT07-0041.

2007-1574. State v. Baldwin.

Stark App. No. 2006CA00076, 2007-Ohio-3511.

2007-1575. State v. Shie.

Cuyahoga App. No. 88677, 2007-Ohio-3773.

2007-1584. State v. Kidd.

Lake App. No. 2006-L-193, 2007-Ohio-4113.

2007-1594. State v. Hankinson.

Perry App. No. 06CA27, 2007-Ohio-3860.

2007-1596. State v. Jones.

Cuyahoga App. No. 88493, 2007-Ohio-3265.

2007-1598. Promotional Prods. Group, Inc. v. Deighan.

Summit App. No. 23451.

2007-1599. State v. Long.

Seneca App. No. 13-07-20.

2007-1600. State v. Hernandez.

Cuyahoga App. No. 90122.

2007-1601. State v. Pierce.
Cuyahoga App. No. 90121.

2007-1603. State v. Martin.
Montgomery App. No. 21697, 2007-Ohio-3585.

2007-1604. MD Acquisition, L.L.C. v. Myers.
Franklin App. No. 07AP-279, 2007-Ohio-3521.
Moyer, C.J., and Cupp, J., dissent.

2007-1606. State v. Hundley.
Hamilton App. No. C-060374, 2007-Ohio-3556.
Lundberg Stratton and O'Connor, JJ., dissent.

2007-1621. State v. McShepard.
Lorain App. No. 06CA009024.

2007-1622. State v. Jefferson.
Montgomery App. No. 21671, 2007-Ohio-3583.

2007-1625. State v. Hairston.
Cuyahoga App. No. 88738, 2007-Ohio-3650.

2007-1626. State v. Johnson.
Lucas App. No. L-06-1035, 2007-Ohio-3961.
Pfeifer, J., dissents.

2007-1629. State v. Calhoun.
Butler App. No. CA2006-08-190, 2007-Ohio-3612.

2007-1632. State v. Harper.
Butler App. No. CA2006-06-132, 2007-Ohio-3611.

2007-1634. State v. Dean.
Franklin App. No. 06AP-744, 2007-Ohio-3736.
O'Donnell, J., dissents.

2007-1636. State v. Bright.
Franklin App. No. 06AP-1297, 2007-Ohio-3657.

2007-1641. State v. Hughes.

Franklin App. No. 07AP-4, 2007-Ohio-3625.

2007-1649. State v. Reckers.

Hamilton App. No. C-060451, 2007-Ohio-3679.

2007-1666. State v. Starks.

Lucas App. No. L-07-1246.

2007-1668. State v. Starks.

Lucas App. No. L-07-1226.

2007-1671. State v. Starks.

Lucas App. No. L-07-1245.

2007-1674. State v. Hatfield.

Franklin App. No. 06AP-1205, 2007-Ohio-3735.

2007-1679. State v. Baez.

Lucas App. No. L-06-1320, 2007-Ohio-3825.

2007-1680. State v. Hunt.

Franklin App. No. 06AP-879, 2007-Ohio-3738.

2007-1686. State v. Hairston.

Scioto App. No. 06CA3081, 2007-Ohio-3880.

2007-1713. State v. Rafferty.

Summit App. No. 23217, 2007-Ohio-3997.

2007-1721. State v. Brown.

Hancock App. No. 5-03-21.

Cupp, J., not participating.

2007-1756. Promotional Prods. Group, Inc. v. Deighan.

Summit App. No. 23451.

2007-1836. State v. Johnson.

Franklin App. No. 05AP-12, 2006-Ohio-209.

2007-1950. State v. Silvey.

Lucas App. No. L-05-1254, 2007-Ohio-2535.

2007-1978. In re Martinez.

Cuyahoga App. No. 89272.

2007-1997. In re P.N.M.

Adams App. No. 07CA841, 2007-Ohio-4976.

Pfeifer, J., dissents.

RECONSIDERATION OF PRIOR DECISIONS

2005-0749. State v. Brown.

Cuyahoga C.P. No. CR 447563. Reported at 115 Ohio St.3d 55, 2007-Ohio-4837, 873 N.E.2d 858. On motion for reconsideration. Motion denied.

Lundberg Stratton, J., dissents.

2006-1025. Norfolk S. Ry. Co. v. Bogle.

Cuyahoga App. No. 86339, 166 Ohio App.3d 449, 2006-Ohio-1540. Reported at 115 Ohio St.3d 455, 2007-Ohio-5248, 875 N.E.2d 919. On motion for reconsideration. Motion denied.

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

2006-1576. State ex rel. Wheeling-Pittsburgh Steel Corp. v. Indus. Comm.

Franklin App. No. 05AP-913, 2006-Ohio-3912. Reported at 115 Ohio St.3d 372, 2007-Ohio-5234, 875 N.E.2d 91. On motion for reconsideration. Motion denied.

2007-1112. Jonovich v. E. Cleveland.

Cuyahoga App. No. 88272, 2007-Ohio-1984. Reported at 115 Ohio St.3d 1422, 2007-Ohio-5056, 874 N.E.2d 539. On motion for reconsideration. Motion denied.

O'Donnell, J., dissents.