

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

January 17, 2008

[Cite as *01/17/2008 Case Announcements*, 2008-Ohio-123.]

MERIT DECISIONS WITH OPINIONS

2006-1207 and 2006-1343. Pack v. Osborn, Slip Opinion No. 2008-Ohio-90.

Licking App. No. 05-CA-83, 2006-Ohio-2253. Judgment reversed and cause remanded.

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

2006-1360. WCI, Inc. v. Ohio Liquor Control Comm., Slip Opinion No. 2008-Ohio-88.

Franklin App. No. 05AP-896, 2006-Ohio-2751. Judgment affirmed.

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

2006-1827. Marich v. Bob Bennett Constr. Co., Slip Opinion No. 2008-Ohio-92.

Summit App. No. 23026, 2006-Ohio-4242. Judgment affirmed in part and reversed in part.

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

2007-0041. Todd Dev. Co., Inc. v. Morgan, Slip Opinion No. 2008-Ohio-87.

Warren App. No. CA2005-11-124, 2006-Ohio-4825. The certified question is answered in the negative, and the judgment of the court of appeals is reversed.

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

Lanzinger, J., concurs in judgment only.

Pfeifer, J., dissents and would answer the certified question in the affirmative and affirm the judgment of the court of appeals.

2007-1111. Disciplinary Counsel v. Heiland, Slip Opinion No. 2008-Ohio-91.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 06-049. Eric K. Heiland, Attorney Registration No. 0056083, is indefinitely suspended from the practice of law in Ohio.

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

2007-1344. Day v. Wilson, Slip Opinion No. 2008-Ohio-82.

Richland App. No. 07CA30. Judgment affirmed.

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

2007-1579. Cuyahoga Cty. Bar Assn. v. Church, Slip Opinion No. 2008-Ohio-81.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 07-026. Joseph Jeffrey Church, Attorney Registration No. 0006961, is indefinitely suspended from the practice of law in Ohio, and the suspension will run consecutively to his current indefinite suspension.

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

O'Connor, J., dissents and would permanently disbar respondent.

MOTION AND PROCEDURAL RULINGS

2005-1656. State v. Davis.

Licking C.P. No. 04 CR 464. This cause came on for further consideration of appellant's motion for stay of execution scheduled for April 2, 2008. Upon consideration thereof,

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

It is further ordered that this stay shall remain in effect until exhaustion of all state post-conviction proceedings, including any appeals.

It is further ordered that counsel for appellant and for the appellee shall notify this court when all proceedings for post-conviction relief before the courts of this state have been exhausted.

2007-0558. Wilborn v. Bank One Corp.

Mahoning App. No. 04-MA-182, 2007-Ohio-596. This cause is pending before the court as an appeal from the Court of Appeals for Mahoning County. Upon consideration of the motion of appellants and amicus curiae State of Ohio for divided argument time for the oral argument scheduled for March 11, 2008,

It is ordered by the court that the motion is granted, and the amicus curiae shall share the time allotted to appellants.

2008-0077. State ex rel. George v. Burnside.

Cuyahoga App. No. 90531, 2007-Ohio-6632. This cause was filed as a discretionary appeal. Upon consideration of appellant's jurisdictional memorandum, it is determined by the court that this cause originated in the court of appeals and should proceed as an appeal of right pursuant to S.Ct.Prac.R. II(1)(A)(1).

It is ordered by the court that the Clerk shall issue an order for the transmission of the record from the Court of Appeals for Cuyahoga County, and the parties shall brief this case in accordance with S.Ct.Prac.R. VI.

MISCELLANEOUS DISMISSALS

2007-1969. State v. Craft.

Butler App. No. CA2006-06-145, 2007-Ohio-4116. This cause is pending before the court as a discretionary appeal and claimed appeal of right. It appears from the records of the court that the appellant has not filed a memorandum in support of jurisdiction, due January 11, 2008, in compliance with the Rules of Practice of the Supreme Court and therefore has failed to prosecute this cause with the requisite diligence. Upon consideration thereof,

It is ordered by the court that this cause is dismissed sua sponte.

MEDIATION REFERRALS

The following case has been referred to mediation pursuant to S.Ct.Prac.R. XIV(6):

2008-0029. State ex rel. Gilbert v. Cincinnati

Hamilton App. No. C-070166, 2007-Ohio-6332.