

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

May 23, 2008

[Cite as *05/23/2008 Case Announcements #2*, 2008-Ohio-2489.]

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## MERIT DECISIONS WITH OPINIONS

**2008-0573. State ex rel. Sapp v. Court of Appeals, Tenth Appellate Dist.**

In Mandamus and Prohibition. This cause originated in this court on the filing of a complaint for a writ of mandamus and prohibition. Upon consideration thereof, and as explained in the opinion to follow,

It is ordered by the court that a peremptory writ of mandamus and prohibition is granted. Respondent Court of Appeals, Tenth Appellate District, is prohibited from proceeding with the appeal of Larry Berman and is ordered to dismiss his appeal. Costs assessed to respondents.

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

Pfeifer, J., dissents and would dismiss the cause.