

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

October 30, 2008

[Cite as *10/30/2008 Case Announcements*, 2008-Ohio-5579.]

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## MERIT DECISIONS WITH OPINIONS

### **2008-1598. State ex rel. Furnas v. Monnin, 2008-Ohio-5569.**

In Prohibition. This cause originated in this court on the filing of a complaint for a writ of prohibition involving termination of parental rights/adoption and was considered in a manner prescribed by law. Upon consideration thereof,

It is ordered by the court that the writ of prohibition is denied consistent with the opinion rendered herein.

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

Cupp, J., concurs separately.

Lanzinger and O'Donnell, JJ., dissent.

## MOTION AND PROCEDURAL RULINGS

### **1997-2247. State v. Bey.**

Lucas App. No. L-94-003. By entry filed July 21, 2008, this court ordered that appellant's sentence be carried into execution on Wednesday, the 19<sup>th</sup> day of November, 2008. In order to facilitate this court's timely consideration of any matters relating to the execution of appellant's sentence,

It is ordered by the court that the Chief Justice may suspend application of any provisions of the Rules of Practice of the Supreme Court, including, but not limited to, the filing requirements imposed by S.Ct.Prac.R. XIV(1).

It is further ordered that service of documents as required by S.Ct.Prac.R. XIV(2), shall be personal, by facsimile transmission, or by email.

It is further ordered that counsel of record for the parties shall provide this court with a copy of any document relating to this matter that is filed in, or issued by,

any other court in this state or any federal court, as well as any commutation, pardon, or warrant of reprieve issued by the Governor. A copy of the document shall be delivered to the Office of the Clerk as soon as possible, either personally, by facsimile transmission, or by email.

**2008-1814. Ulliman v. Ulliman.**

Montgomery App. No. 22560, 2008-Ohio-3876. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellee's motion to strike appellant's notice of appeal and memorandum in support of jurisdiction,

It is ordered by the court that the motion is denied and appellee shall file a memorandum in response within 30 days from the date of this entry.

**2008-1837. In re Application of Duke Energy Ohio, Inc.**

Pub. Util. Comm. Nos. 07589-GA-AIR, 07590-GA-ALT, and 07591-GA-AAM. This cause is pending before the court as an appeal from the Public Utilities Commission of Ohio. Upon consideration of the motion for leave to intervene of Duke Energy Ohio,

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

### **MEDIATION REFERRALS**

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

**2008-2058. Kettering City Schools Bd. of Edn. v. Montgomery Cty. Bd. of Revision.**

Board of Tax Appeals, No. 2006-H-1740.

**2008-2059. W. Carrollton City Schools Bd. of Edn. v. Montgomery Cty. Bd. of Revision.**

Board of Tax Appeals, No. 2006-K-1741.

### **RECONSIDERATION OF PRIOR DECISIONS**

**2008-1345. State v. Hubaker.**

Lake App. No. 2007-L-162, 2008-Ohio-1776. Reported at \_\_\_\_ Ohio St.3d \_\_\_\_, 2008-Ohio-5339. It is ordered by the court that the motion for reconsideration in this case is denied.