

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

December 10, 2008

[Cite as *12/10/2008 Case Announcements*, 2008-Ohio-6417.]

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## MERIT DECISIONS WITH OPINIONS

**2005-2264. State v. Diar, Slip Opinion No. 2008-Ohio-6266.**

Lorain C.P. No. 04CR065248. Judgment affirmed in part and reversed in part, and cause remanded.

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

**2007-1144. U.S. Bank Natl. Assn. v. Gullotta, Slip Opinion No. 2008-Ohio-6268.**

Stark App. No. 2006CA00145, 2007-Ohio-2085. Certified question answered in the negative, and judgment reversed and cause remanded.

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

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

**2007-2157. State v. Harris, Slip Opinion No. 2008-Ohio-6261.**

Hamilton App. Nos. C-060399, C-060400, and C-060401. Judgment reversed and cause remanded.

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

**2007-2334. State v. Render, Slip Opinion No. 2008-Ohio-6262.**

Hamilton App. No. C-060382. Judgment reversed and cause remanded.

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

**2007-2358. State v. Lipscomb, Slip Opinion No. 2008-Ohio-6263.**

Hamilton App. Nos. C-060213 and C-060249. Judgment reversed and cause remanded.

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

**2008-0391. State v. Clardy, Slip Opinion No. 2008-Ohio-6264.**

Hamilton App. No. C-060527. Judgment reversed and cause remanded to the trial court.

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

**2008-0454. State v. Fikes, Slip Opinion No. 2008-Ohio-6265.**

Hamilton App. No. C-060581. Judgment reversed and cause remanded.

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

## **MOTION AND PROCEDURAL RULINGS**

**2008-2331. Bogan v. Hall.**

Richland App. No. 08-CA-94, 2008-Ohio-5708. This cause was filed as a discretionary appeal and claimed appeal of right. Upon consideration of appellant's jurisdictional memorandum, it is determined by the court that this cause originated in the court of appeals and shall proceed as a direct appeal.

It is ordered by the court that the Clerk shall issue an order for the transmittal of the record from the Court of Appeals for Richland County. Appellant shall file his merit brief within forty days of the filing of the record with the Clerk of this court, and the parties shall otherwise proceed in accordance with S.Ct.Prac.R. VI.

## **MISCELLANEOUS DISMISSALS**

**2008-0754. State ex rel. King v. Welbaum.**

Miami App. No. 2008-C-A1. This cause is pending before the court as an appeal from the Court of Appeals for Miami County. Upon consideration of appellant's application for dismissal,

It is ordered by the court that the application for dismissal is granted. Accordingly, this cause is dismissed.

**2008-1131. State v. King.**

Miami App. No. 08-CA-02, 2008-Ohio-2594. This cause is pending before the court as an appeal from the Court of Appeals for Miami County. Upon consideration of appellant's application for dismissal,

It is ordered by the court that the application for dismissal is granted. Accordingly, this cause is dismissed.

### **MISCELLANEOUS ORDERS**

In re Report of the Commission  
On Continuing Legal Education.

Case No. CLE-2007-33556

Joel Sidney Treuhaft  
(#0033556),  
Respondent.

### **ORDER**

This matter originated in this court on the filing of a report by the Commission on Continuing Legal Education (“commission”) pursuant to Gov.Bar R. X(6)(A)(1)(b) and (A)(2)(d). The commission recommended the imposition of sanctions against certain attorneys, including the above-named respondent, for failure to comply with the provisions of Gov.Bar R. X, Attorney Continuing Legal Education, for the 2005-2006 reporting period.

On June 16, 2008, this court adopted the recommendation of the commission, imposed a sanction fee upon the respondent, and suspended the respondent from the practice of law pursuant to Gov.Bar R. X(6)(B)(3) and (5)(A)(4). The court further ordered that respondent shall not be reinstated to the practice of law in Ohio until respondent complies with the requirements for reinstatement set forth in Gov.Bar R. X(7), respondent complies with the Supreme Court Rules for the Government of the Bar of Ohio, respondent complies with this and all other orders of the court, and this court orders respondent reinstated.

On November 10, 2008, the commission filed a recommendation pursuant to Gov.Bar R. X(7)(B)(2), finding that the respondent has paid all fees assessed for noncompliance, has made up all deficiencies and is now in full compliance with all requirements of Gov.Bar R. X, and recommending that the respondent be reinstated to the practice of law in Ohio. The commission certified that respondent had completed the credit hours of continuing legal education required during the suspension by this court’s order of suspension. Respondent has satisfied all the requirements of this court’s order of suspension. Upon consideration thereof,

It is ordered by the court that the recommendation of the commission is adopted and respondent, Joel Sidney Treuhaft, is hereby reinstated to the practice of law.