

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

February 25, 2009

[Cite as *02/25/2009 Case Announcements, 2009-Ohio-833.*]

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## MERIT DECISIONS WITH OPINIONS

**2007-1918. Disciplinary Counsel v. McShane, Slip Opinion No. 2009-Ohio-746.**

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 07-024. Eugene F. McShane, Attorney Registration No. 0017578, is suspended from the practice of law in Ohio for two years, stayed on conditions.

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

**2008-0636. CCleveland OH Realty I, L.L.C. v. Cuyahoga Cty. Bd. of Revision, Slip Opinion No. 2009-Ohio-757.**

Board of Tax Appeals, Nos. 2006-A-331, 2006-A-333, and 2006-A-345. Decision affirmed.

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

**2008-1768. Disciplinary Counsel v. Jarabek, Slip Opinion No. 2009-Ohio-748.**

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 07-050. Timothy J. Jarabek, Attorney Registration No. 0069298, is suspended from the practice of law in Ohio for two years, with one year stayed on conditions, with no credit for time served under respondent's interim suspension.

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

**2008-1892. Cincinnati Bar Assn. v. Mid-South Estate Planning, L.L.C., Slip Opinion No. 2009-Ohio-749.**

On Final Report by the Board on the Unauthorized Practice of Law, No. UPL 07-01. Mid-South Estate Planning, L.L.C., is enjoined from acts constituting the practice of law in Ohio, and civil penalty is imposed.

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

**2008-1893. Cincinnati Bar Assn. v. Mid-South Estate Planning, L.L.C., Slip Opinion No. 2009-Ohio-747.**

On Final Report by the Board on the Unauthorized Practice of Law, No. UPL 07-01. Senior Estate Planning Services of America, Inc. and Robert D. Tanner Jr. are enjoined from acts constituting the practice of law in Ohio, and civil penalty is imposed.

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

### **MOTION AND PROCEDURAL RULINGS**

**2008-1563. Realty Income Corp. v. Lake Cty. Bd. of Revision.**

Board of Tax Appeals, No. 2006-V-788. This cause is pending before the court as an appeal from the Board of Tax Appeals. Upon consideration of the joint motion for remand to the Ohio Board of Tax Appeals,

It is ordered by the court that the motion is granted, and this cause is remanded to the Board of Tax Appeals.

**2009-0046. State v. Whatley.**

Summit App. No. 24231, 2008-Ohio-6128. This cause is pending before the court as an appeal from the Court of Appeals for Summit County. Upon consideration of appellee's motion for appointment of counsel,

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

It is further ordered by the court that Timothy Young of the Ohio Public Defender's Office is appointed to represent appellee.

### **DISCIPLINARY CASES**

**2009-0201. In re Resignation of Slagle.**

On affidavit of resignation from the practice of law of John Wesley Slagle, Attorney Registration No. 0017551, and on report filed under seal by Disciplinary Counsel. Resignation accepted with disciplinary action pending.

**2009-0202. In re Resignation of Powell.**

On affidavit of resignation from the practice of law of Katharine Kyle Powell, Attorney Registration No. 0080136, and on report filed under seal by Disciplinary Counsel. Resignation accepted with disciplinary action pending.

### **MISCELLANEOUS DISMISSALS**

**2009-0140. Faith v. Lindsey.**

Summit App. No. 24335, 2008-Ohio-6619. This cause is pending before the court as a discretionary appeal. 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.

### **MEDIATION REFERRALS**

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

**2009-0316. Fogg-Akron Assoc. v. Summit Cty. Bd. of Revision.**

Board of Tax Appeals, No. 2006-A-1793.

**2009-0320. Olentangy Local Schools Bd. of Edn. v. Delaware Cty. Bd. of Revision.**

Board of Tax Appeals, No. 2006-H-1361.