

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

April 10, 2009

[Cite as *04/10/2009 Case Announcements*, 2009-Ohio-1706.]

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## MOTION AND PROCEDURAL RULINGS

### **In re Ealy.**

On February 18, 2009, this court found Larry Ealy to be a vexatious litigator under S.Ct.Prac.R. XIV(5)(B). This court further ordered that Ealy was prohibited from continuing or instituting legal proceedings in this court without first obtaining leave. On April 6, 2009, Ealy submitted a motion for leave to file a motion for rehearing, a motion for leave to file an affidavit of disqualification, and a motion for leave to file notice of interlocutory appeal and request that Chief Justice Thomas Moyer recuse himself for bias and prejudice. Upon consideration thereof,

It is ordered by the court that the motions for leave are denied.

### **2008-1337. Williams v. Spitzer Autoworld Canton, L.L.C.**

Stark App. No. 2007 CA 00187, 2008-Ohio-2535. This cause is pending before the court as an appeal from the Court of Appeals for Stark County. Upon consideration of the joint motion to allow amicus curiae, the state of Ohio, to participate in oral argument scheduled for April 22, 2009, in support of the appellee,

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

### **2009-0090. In re M.M.**

Montgomery App. Nos. 22872 and 22873, 2008-Ohio-6236. This cause is here on appeal from the Court of Appeals for Montgomery County. On March 4, 2009, the court accepted the appeal, ordered briefing, and consolidated this case with case No. 2009-0318. Upon review of the party status in the consolidated appeals, it is

ordered by the court, sua sponte, that Jessica Lairson shall proceed as an appellant in both this case and case No. 2009-0318.

**2009-0318. In re M.M.**

Montgomery App. Nos. 22872 and 22873, 2008-Ohio-6236. This cause is here on a certification of a conflict by the Court of Appeals for Montgomery County. On March 4, 2009, the court determined that a conflict existed, ordered briefing, and consolidated this case with case No. 2009-0090. Upon review of the party status in the consolidated appeals, it is ordered by the court, sua sponte, that Jessica Lairson shall proceed as an appellant in both this case and case No. 2009-0090.

**MISCELLANEOUS DISMISSALS**

**2009-0151. State v. Penn.**

Hamilton App. No. C-081130. This cause is pending before the court as a discretionary appeal. It appears from the records of the court that the appellant has not filed a memorandum in support of jurisdiction, due April 3, 2009, 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.