

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

December 1, 2009

[Cite as *12/01/2009 Case Announcements, 2009-Ohio-6249.*]

MERIT DECISIONS WITH OPINIONS

2009-0228. Osnaburg Twp. Zoning Inspector v. Eslich Environmental, Inc., Slip Opinion No. 2009-Ohio-6163.

Stark App. No. 2008CA00026, 2008-Ohio-6671. The cause is dismissed, sua sponte, as having been improvidently accepted.

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

2009-1020. State ex rel. Carr v. McDonnell, Slip Opinion No. 2009-Ohio-6165.
Cuyahoga App. No. 93138, 2009-Ohio-2488. Judgment affirmed.

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

2009-1279. State ex rel. Martin v. Ohio Adult Parole Auth., Slip Opinion No. 2009-Ohio-6164.

Lucas App. No. L-09-1094. Appeal dismissed.

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

MOTION AND PROCEDURAL RULINGS

1996-0423. State v. Biros.

Trumbull App. No. 91-T-4632. By entry filed June 3, 2009, this court ordered that appellant's sentence be carried into execution on Tuesday, December 8, 2009. 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.

2009-2141. State ex rel. Sultaana v. Fidelity Invests.

Hamilton App. No. C-090575. This cause is pending before the court 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 an appeal of right pursuant to S.Ct.Prac.R. II(1)(A)(1).

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 Hamilton 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.