

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

October 28, 2011

[Cite as *10/28/2011 Case Announcements*, 2011-Ohio-5509.]

MOTION AND PROCEDURAL RULINGS

2010-2198. State v. McKelton.

Butler C.P. No. CR 2010-02-0189. This cause is pending before the court as a death penalty appeal from the Court of Common Pleas for Butler County.

Upon consideration of appellant's motion to supplement record, it is ordered by the court that the motion is granted.

It is further ordered that the Clerk of Courts for Butler County shall supplement the record within ten days of the date of this entry, with the following documents: The ADT contract (State's exhibit 3), the 2008 calendar (State's exhibit 5), the oversized aerial photo of Schmidt field (State's exhibit 9), the oversized R. 1006 Google Map (State's exhibit 10), the OB/GYN letter (State's exhibit 16), the paperwork from Fairfield Municipal Court (State's exhibit 17), the oversized diagram of the master bedroom at 4503 Whitmore LN (State's exhibit 18), the phone bill from Sprint (State's exhibit 24), the paperwork from Fairfield Municipal Court (State's exhibit 25), the "Anarchists Cookbook" book (State's exhibit 28), the photo from the dresser (State's exhibit 29), the spiral notebook with the blue cover (State's exhibit 30), the Key Bank notice (State's exhibit 31), and the oversized aerial photo of Inwood park (State's exhibit 57).

MISCELLANEOUS DISMISSALS

2011-1673. State v. Fisk.

Summit App. No. 25610, 2011-Ohio-4064.

This cause is pending before the court as a discretionary appeal and claimed appeal of right. On October 3, 2011, when this appeal was filed, a check in the amount of \$100.00 was submitted by appellant to satisfy the requirement of the

docket fee imposed by R.C. 2503.17 and S.Ct.Prac.R 15.1. This court has been informed by the Office of the Treasurer of the State of Ohio that the check was returned because of insufficient funds.

Therefore, since R.C. 2503.17 and S.Ct.Prac.R. 15.1, require that the docket fee shall be paid before a notice of appeal is filed or a case is docketed, it is ordered by the Court, sua sponte, that this cause is dismissed.

O'Connor, CJ., not participating.

MEDIATION REFERRALS

The following cases have been referred to mediation pursuant to S.Ct.Prac.R. 17.1(A):

2011-1713. Ayers v. Ishler.

Delaware App. No. 11 CAE 01 0001, 2011-Ohio-4272.

2011-1743. State ex rel. Quinn v. Husted.

In Mandamus.

2011-1776. State ex rel. Lockheed Martin Energy Sys., Inc. v. Indus. Comm.

Franklin App. No. 10AP-823, 2011-Ohio-5054.

2011-1783 State ex rel. Burton Health Care Ctr., Inc. v. Ohio Dept. of Health.

In Mandamus.

2011-1793. Progressive Plastics, Inc. v. Levin.

Board of Tax Appeals; No. 2008-A-241.