

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

April 6, 2011

[Cite as *04/06/2011 Case Announcements*, 2011-Ohio-1618.]

MERIT DECISIONS WITH OPINIONS

2010-0393. Measles v. Indus. Comm., Slip Opinion No. 2011-Ohio-1523.

Cuyahoga App. No. 93071, 2010-Ohio-161. Judgment of the court of appeals reversed, and judgment of the trial court reinstated.

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

2010-1150. State ex rel. Tempesta v. Warren, Slip Opinion No. 2011-Ohio-1525.

In Mandamus. Writ granted. Request for back pay denied.

O'Donnell and Cupp, JJ., concur.

Pfeifer and Lundberg Stratton, JJ., concur in granting the writ but would also award back pay to relator.

O'Connor, C.J., and Lanzinger and McGee Brown, JJ., dissent.

2010-1646. Disciplinary Counsel v. Longino, Slip Opinion No. 2011-Ohio-1524.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 09-079. Shondra Collette Longino, Attorney Registration No. 0081874, is permanently disbarred from the practice of law in Ohio.

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

2010-2121. Disciplinary Counsel v. Spates, Slip Opinion No. 2011-Ohio-1526.

On Final Report by the Board on the Unauthorized Practice of Law, No. UPL 10-04. Joseph-Mario Spates is permanently enjoined from acts constituting the practice of law in Ohio, and civil penalty is imposed.

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

MERIT DECISIONS WITHOUT OPINIONS

2010-0115. Willis Day Warehousing Co. v. Wood Cty. Bd. of Revision.

Board of Tax Appeals, Nos. 2006-M-1794 and 2007-M-868. On motion to dismiss. Motion to dismiss granted. Cause dismissed.

O'Connor, C.J., and Lundberg Stratton, Lanzinger, Cupp, and McGee Brown, JJ., concur.

Pfeifer and O'Donnell, JJ., dissent.

2010-2239. [State ex rel.] Sassano v. Bender.

In Prohibition. On motion to dismiss. Motion to dismiss granted. Cause dismissed.

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

2011-0058. State ex rel. McClellan v. Preston.

In Mandamus. On motion to dismiss. Motion to dismiss granted. Cause dismissed.

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

2011-0081. State ex rel. Holmes v. Ohio Adult Parole Auth.

In Mandamus. On motions to dismiss. Motions to dismiss granted. Cause dismissed.

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

2011-0084. [State ex rel.] Henderson v. Finnegan.

In Procedendo. On respondent's motion to dismiss and relator's motions for judgment and for default judgment. Motion to dismiss granted. Motions for judgment and default judgment denied. Cause dismissed.

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

2011-0109. State ex rel. Benner v. Mahoning Cty. Court #4.

In Prohibition. On motion to dismiss. Motion to dismiss granted. Cause dismissed.

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

2011-0229. Ali v. Kasich.

In Habeas Corpus. On petition for writ of habeas corpus of Dawuud Babel Ali. Sue sponte, cause dismissed.

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

2011-0231. State ex rel. Crooks v. Corbin.

In Procedendo. On motion to dismiss. Motion to dismiss granted. Motion for leave to intervene and motion to strike denied as moot. Cause dismissed.

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

2011-0240. Goldshtein v. State.

In Habeas Corpus. On petition for writ of habeas corpus of Feliks Goldshtein. Sua sponte, cause dismissed.

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

MOTION AND PROCEDURAL RULINGS

1986-1976. State v. Bedford.

Hamilton App. No. C-840850. Motions for stay of execution and for competency determination denied.

Pfeifer, J., dissents and would grant both motions.

O'Donnell and McGee Brown, JJ., dissent in part and would grant the motion for stay.

2010-0576. State v. Mammone.

Stark C.P. No. 2008-CR-0859. This cause is pending before the court as an appeal from the Court of Appeals for Stark County.

Upon consideration of appellant's motion to stay briefing, it is ordered by the court that the motion is denied.

It is further ordered, sua sponte, that the appellant's merit brief shall be filed no later than April 22, 2011.

2010-1642. State ex rel. McCaffery v. Gains.

In Mandamus. Motion for judgment on the pleadings denied. Motion for leave to file amended exhibit granted. Sua sponte, an alternative writ is granted and the following schedule is set for presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 10.6:

The parties shall file any evidence they intend to present within 20 days of the date of this entry, relator shall file a brief within ten days of the filing of the evidence, respondents' shall file a brief within 20 days after the filing of relator's brief, and relator may file a reply brief within seven days after filing of respondents' brief. Also, the respondents are ordered to submit under seal an unredacted copy of the requested records for which they claim exemptions.

2010-1899. State v. Brown.

Hamilton App. No. C-100050, 2010-Ohio-4599. On motion for findings pursuant to Civ.R. 52. Motion denied.

2010-2029. State ex rel. Data Trace Information Sys., L.L.C. v. Cuyahoga Cty. Recorder.

In Mandamus. Motions for leave to file amended complaint and memorandum in support granted. Motion to dismiss for lack of standing denied. Sua sponte, an alternative writ is granted and the following schedule is set for presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 10.6:

The parties shall file any evidence they intend to present within 20 days of the date of this entry, relators shall file a brief within ten days of the filing of the evidence, respondent shall file a brief within 20 days after the filing of relators' brief, and relators may file a reply brief within seven days after filing of respondent's brief.

2010-2067. State ex rel. Waiters v. Szabo.

Cuyahoga App. No. 94599, 2010-Ohio-5249. On emergency motion to stay arbitration process. Motion denied.

2010-2145. [State ex rel.] Johnson v. Ward.

In Prohibition. Motion to vacate order of dismissal denied. Request for hearing and to strike denied as moot.

2011-0132. State ex rel. Vindicator Printing Co. v. Wolff.

In Mandamus and Prohibition. Motion for leave to intervene granted. Motions for admission pro hac vice of Martin G. Weinberg and J. Alan Johnson granted. Sua sponte, an alternative writ is granted and the following schedule is set for presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 10.6:

The parties shall file any evidence they intend to present within 20 days of the date of this entry, relators shall file a brief within ten days of the filing of the evidence, respondent and intervening respondents shall file a brief within 20 days after the filing of relators' brief, and relators may file a reply brief within seven days after filing of respondent's and intervening respondents' brief.

2011-0195. State v. Johnson.

Cuyahoga App. No. 92364, 2009-Ohio-5821. On motion for leave to file delayed appeal. Motion denied.

2011-0205. State v. Berecz.

Washington App. No. 08CA48, 2010-Ohio-285. On motion for leave to file delayed appeal. Motion denied.

2011-0217. State v. Thrower.

Cuyahoga App. No. 95669. On motion for leave to file delayed appeal. Motion denied.

Pfeifer, Lanzinger, and Cupp, JJ., dissent.

2011-0218. U.S. Bank, N.A. v. Duvall.

Cuyahoga App. No. 94174, 2010-Ohio-6478. On review of order certifying a conflict. The court determines that a conflict exists. The parties are to brief the issue stated in the court of appeals' Journal Entry filed January 31, 2011:

“To have standing as a plaintiff in a mortgage foreclosure action, must a party show that it owned the note and the mortgage when the complaint was filed?”

Pfeifer, J., dissents.

The conflict cases are *U.S. Bank, N.A. v. Bayless*, Delaware App. No. 09 CAE 01 004, 2009-Ohio-6115, *U.S. Bank, N.A. v. Marcino*, 181 Ohio App.3d 328, 2009-Ohio-1178, *Bank of New York v. Stuart*, Lorain App. No. 06CA008953, 2007-Ohio-1483, and *Countrywide Home Loan Servicing, L.P. v. Thomas*, Franklin App. No. 09AP-819, 2010-Ohio-3018.

2011-0230. State v. Carrick.

Wayne App. No. 09CA0077, 2010-Ohio-6451. On review of order certifying a conflict. The court determines that a conflict exists. The parties are to brief the issue stated in the court of appeals' Journal Entry file February 8, 2011:

“Whether the ‘making unreasonable noise’ provision of [R.C.] 2917.11(A)(2) is unconstitutionally void for vagueness.”

Pfeifer and Cupp, JJ., dissent.

The conflict case is *State v. Compher* (Dec. 9, 1985), Ross App. Nos. 1174 and 1175.

2011-0249. State v. Hendricks.

Cuyahoga App. No. 92213, 2009-Ohio-5556. On motion for leave to file delayed appeal. Motion denied.

Pfeifer, J., dissents.

2011-0271. State v. McCoy.

Hamilton App. No. C-090599, 2010-Ohio-5810. On motion for leave to file delayed appeal. Motion granted.

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

2011-0273. State v. Johnson.

Clark App. No. 08CA34, 2009-Ohio-4123. On motion for leave to file delayed appeal. Motion denied.

2011-0292. State v. Milby.

Montgomery App. No. 23798, 2010-Ohio-6344. On motion for stay of court of appeals' judgment. Motion denied.

2011-0294. State v. Parker.

Lucas App. No. L-09-1298, 2010-Ohio-5892. On motion for leave to file delayed appeal. Motion granted.

O'Connor, C.J., and Lundberg Stratton and O'Donnell, JJ., dissent.

2011-0314. Waiters v. Lavelle.

Cuyahoga App. No. 95270, 2011-Ohio-116. On emergency motion to stay arbitration process and motion to consolidate. Motions denied.

APPEALS ACCEPTED FOR REVIEW

2011-0019. Jackson v. Bartec, Inc.

Franklin App. No. 10AP-173, 2010-Ohio-5558.

O'Connor, C.J., and Pfeifer, J., dissent.

2011-0024. Miller v. Miller.

Trumbull App. No. 2009-T-0061, 2010-Ohio-5662.

O'Connor, C.J., would accept the appeal on Proposition of Law Nos. I, II, and III only.

2011-0065. State v. McAlmont.

Clark App. No. 09-CA-21, 2010-Ohio-5879. Discretionary appeal accepted; cause held for the decision in 2010-1636, *State v. Gunnell*, Clark App. No. 09-CA-0013, 2010-Ohio-4415; and briefing schedule stayed.

Pfeifer and McGee Brown, JJ., dissent.

APPEALS NOT ACCEPTED FOR REVIEW

2010-1984. State v. Allen.

Cuyahoga App. No. 93372, 190 Ohio App.3d 240, 2010-Ohio-3999.

2010-1994. State v. Jones.

Hamilton App. No. C-090790.

2010-2015. State v. Crosby.

Cuyahoga App. No. 95308.

2010-2129. Semenchuk v. Ohio Dept. of Rehab. & Corr.

Franklin App. No. 10AP-19, 2010-Ohio-5551.

2010-2192. State v. Bachman.

Stark App. No. 2010 CA 00119, 2010-Ohio-5804.

2010-2284. Rimedio v. SummaCare, Inc.

Summit App. No. 25068, 2010-Ohio-5555.

O'Donnell, J., dissents and would accept the appeal on Proposition of Law No. I.

2010-2285. State v. Homesales, Inc.

Hamilton App. No. C-090192, 2010-Ohio-5572.

Pfeifer and Lanzinger, JJ., dissent.

2010-2287. Telsat, Inc. v. Micro Ctr., Inc.

Franklin App. No. 10AP-229, 2010-Ohio-5628.

2010-2293. State v. Dunkle.

Licking App. No. 10CA0110.

2011-0001. Roberts v. Greenhills.

Hamilton App. No. C-100108.

2011-0002. Americare Healthcare Servs., Inc. v. Akabuaku.

Franklin App. No. 10AP-777, 2010-Ohio-5631.

2011-0004. State v. Kidd.

Hamilton App. No. C-100171.

O'Connor, C.J., and McGee Brown, J., dissent.

2011-0005. Cardinal Partners, Ltd. v. Fernandez Discipline, L.L.C.

Lucas App. No. L-10-1180, 2010-Ohio-5642.

2011-0006. Assn. of Cleveland Fire Fighters, Local 93 v. Cleveland.

Cuyahoga App. No. 94361, 2010-Ohio-5597.

O'Donnell, J., dissents.

2011-0007. In re Estate of Norman.

Knox App. No. 10 CA 000011, 2010-Ohio-5920.

2011-0009. State v. Mansaray.

Cuyahoga App. No. 93562, 2010-Ohio-5119.

O'Connor, C.J., and Lanzinger, J., dissent and would accept the appeal on Proposition of Law No. II and hold the cause for the decision in 2010-1315, *State v. Gould*, Lucas App. No. L-08-1383, 2010-Ohio-3437.

2011-0013. Carr v. Cincinnati.

Hamilton App. No. C-090918.

2011-0014. Klocker v. Zeiger.

Cuyahoga App. No. 94555, 2010-Ohio-5605.

2011-0018. Estate of Davis v. Spriggs.

Delaware App. No. 10CAF010004, 2010-Ohio-5740.

Lundberg Stratton, J., dissents.

2011-0022. State v. Brantley.

Cuyahoga App. No. 94508, 2010-Ohio-5248 and 2010-Ohio-5760.

2011-0025. Allason v. Gailey.

Columbiana App. No. 09CO26, 189 Ohio App.3d 491, 2010-Ohio-4952.

2011-0029. State v. Malone.

Lorain App. No. 09CA009732, 2010-Ohio-5658.

Lundberg Stratton, Lanzinger, and McGee Brown, JJ., dissent.

2011-0030. State v. Lester.

Auglaize App. No. 2-10-23, 2010-Ohio-6066.

Lanzinger, J., dissents and would accept the appeal and hold the cause for the decision in 2010-1007 and 2010-1372, *State v. Lester*, Auglaize App. No. 2-10-20.

2011-0031. State v. Shabazz.

Cuyahoga App. No. 94738, 2010-Ohio-5789.

2011-0032. State v. Smith.

Scioto App. No. 09CA3321, 2010-Ohio-5953.

2011-0034. State v. Geiter.

Cuyahoga App. No. 94015, 2010-Ohio-6017.

2011-0039. State v. Berecz.

Washington App. No. 10CA12, 2010-Ohio-5855.

2011-0040. State v. Francis.

Trumbull App. No. 2009-T-0015. Discretionary appeal not accepted. Motion for production of records denied as moot.

2011-0042. State v. Banks.

Franklin App. Nos. 09AP-1087 and 09AP-1088, 2010-Ohio-5714.

2011-0045. State v. Bunger.

Muskingum App. No. CT10-0028, 2010-Ohio-5862.

2011-0047. State v. Liles.

Allen App. No. 1-10-28, 2010-Ohio-5799.

2011-0050. Szuch v. King.

Erie App. No. E-09-069, 2010-Ohio-5896.

Pfeifer, Lundberg Stratton, and Lanzinger, JJ., dissent.

2011-0056. Doe v. Robinson.

Lucas App. No. L-10-1032, 2010-Ohio-5894.

Lanzinger, J., not participating.

2011-0059. Turner v. Englewood.

Montgomery App. No. 23909, 2010-Ohio-5881.

O'Connor, C.J., and McGee Brown, J., dissent.

2011-0061. State v. Miller.

Stark App. No. 2010CA00175, 2010-Ohio-6001.

2011-0063. State v. Ballard.

Cuyahoga App. No. 96142.

2011-0066. State v. Farrow.

Cuyahoga App. No. 94435, 2010-Ohio-5843.

O'Connor, J., dissents.

Lanzinger, J., dissents and would accept the appeal on Proposition of Law No. II and hold the cause for the decision in 2010-1315, *State v. Gould*, Lucas App. No. L-08-1383, 2010-Ohio-3437.

2011-0067. State v. Houston.

Franklin App. No. 09AP-592, 2010-Ohio-4374. Discretionary appeal not accepted. Motion to consolidate denied as moot.

Cupp and McGee Brown, JJ., dissent and would accept the appeal and consolidate the cause with 2011-0068, *State v. Jackson*, Franklin App. Nos. 09AP-687 and 09AP-689, 2010-Ohio-4375.

2011-0068. State v. Jackson.

Franklin App. Nos. 09AP-687 and 09AP-689, 2010-Ohio-4375. Discretionary appeal not accepted. Motion to consolidate denied as moot.

Cupp and McGee Brown, JJ., dissent and would accept the appeal and consolidate the cause with 2011-0067, *State v. Houston*, Franklin App. No. 09AP-592, 2010-Ohio-4374.

2011-0070. State v. Miller.

Trumbull App. No. 2010-T-0018, 2010-Ohio-5795.

O'Connor, C.J., and Lundberg Stratton and Cupp, JJ., dissent and would accept the appeal on Proposition of Law No. I and remand the cause for application of *State v. Johnson*, 128 Ohio St.3d 153, 2010-Ohio-6314.

2011-0071. State v. Gamble.

Hamilton App. No. C-090876, 2010-Ohio-6288.

Lundberg Stratton, J., dissents and would accept the appeal and remand the cause for application of *State v. Johnson*, 128 Ohio St.3d 153, 2010-Ohio-6314.

2011-0074. Roth v. Natl. City Bank.

Hamilton App. No. C-100216, 2010-Ohio-5812.

2011-0075. Wells Fargo Bank, N.A. v. Isaacs.

Hamilton App. No. C-100111, 2010-Ohio-5811.

2011-0076. Illinois Natl. Ins. Co. v. Wiles, Boyle, Burkholder & Bringardner Co., L.P.A.

Franklin App. No. 10AP-290, 2010-Ohio-5872.

2011-0077. Mun. Constr. Equip. Operators' Labor Council v. Cleveland Civ. Serv. Comm.

Cuyahoga App. No. 94605, 2010-Ohio-5849.

2011-0078. State v. Reed.

Franklin App. No. 09AP-1164, 2010-Ohio-5819.

Lanzinger, J., dissents and would accept the appeal on Proposition of Law No. I.

2011-0079. State v. Garnett.

Franklin App. No. 09AP-1149, 2010-Ohio-5865.

2011-0082. State v. Thomas.

Hamilton App. No. C-100321.

2011-0086. State v. Lindsey.

Franklin App. No. 09AP-773, 2010-Ohio-5859.

2011-0089. State v. Bland.

Franklin App. No. 10AP-327, 2010-Ohio-5874.

2011-0091. State v. Baker.

Wood App. No. WD-09-088, 2010-Ohio-4719.

Lanzinger and McGee Brown, JJ., dissent.

2011-0092. State v. Swonger.

Franklin App. No. 09AP-1166, 2010-Ohio-4995.

O'Donnell, J., dissents.

2011-0094. Riverside v. State.

Franklin App. No. 10AP-126, 2010-Ohio-5868.

Lundberg Stratton, Lanzinger, and McGee Brown, JJ., dissent.

2011-0095. State v. Burston.

Cuyahoga App. No. 93645, 2010-Ohio-5120.

Cupp, J., dissents and would accept the appeal on Proposition of Law No. I and hold the cause for the decision in 2010-1448, *State v. Barker*, Lucas App. No. L-09-1139, 2010-Ohio-3067.

2011-0110. Estate of Morgan v. Ohio Dept. of Transp.

Franklin App. Nos. 10AP-362 and 10AP-382, 2010-Ohio-5969.

Pfeifer, J., dissents.

McGee Brown, J., dissents and would accept the appeal on Proposition of Law Nos. II and III.

2011-0112. In re J.L.C.

Trumbull App. No. 2010-T-0085, 2010-Ohio-5936.

2011-0119. State v. Caudill.

Franklin App. No. 10AP-90, 2010-Ohio-5965.

2011-0128. State v. Breisch.

Montgomery App. No. 23652, 2010-Ohio-6113.

2011-0129. State v. Pierson.

Hamilton App. No. C-100022.

2011-0135. Wardwell v. State Bd. of Edn.

Hamilton App. No. C-100074.

2011-0139. State v. Marbury.

Summit App. No. 25158, 2010-Ohio-5989.

2011-0140. State v. Ricks.

Medina App. No. 09CA0094-M, 2010-Ohio-4659.

2011-0150. State v. Gordon.

Summit App. No. 25370, 2010-Ohio-6308.

2011-0154. State v. Bohannon.

Hamilton App. No. C-070859.

2011-0158. State v. Roy.

Butler App. No. CA2010-09-247.

2011-0164. State v. Webb.

Franklin App. No. 10AP-289, 2010-Ohio-6122.

O'Donnell, J., dissents.

2011-0171. U.S. Bank, N.A. v. Duvall.

Cuyahoga App. No. 94714, 2010-Ohio-6478. Discretionary appeal not accepted.
Motion to dismiss denied as moot.

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

2011-0187. State v. Matos.

Cuyahoga App. No. 96137.

2011-0188. State v. Kent.

Cuyahoga App. No. 94562, 2010-Ohio-6368.

O'Donnell, J., dissents and would accept the appeal on Proposition of Law No. IV.

2011-0193. State v. Bowling.

Hamilton App. No. C-100295.

2011-0206. State v. Ajamu.

Hamilton App. No. C-100016.

2011-0209. State v. Anderson.
Hamilton App. No. C-090778.

2011-0253. State v. Langford.
Franklin App. No. 10AP-519, 2010-Ohio-6539.

2011-0289. State v. Williams.
Cuyahoga App. No. 92714.

RECONSIDERATION OF PRIOR DECISIONS

2010-1042. State ex rel. Neofotistos v. Indus. Comm.
Franklin App. No. 09AP-712, 2010-Ohio-2065. Reported at 127 Ohio St.3d 1537, 2011-Ohio-447, 940 N.E.2d 989. On motion for reconsideration. Motion denied.
Lundberg Stratton, Cupp, and McGee Brown, JJ., dissent.

2010-1634. State ex rel. Gonzales v. Nadel.
In Mandamus. Reported at 127 Ohio St.3d 1501, 2011-Ohio-19, 939 N.E.2d 1265.
On motion for reconsideration. Motion denied.

2010-1842. State v. Morris.
Medina App. No. 09CA0022-M, 2010-Ohio-4282. Reported at 127 Ohio St.3d 1533, 2011-Ohio-376, 940 N.E.2d 986. On motion for reconsideration. The motion is granted to the following extent: The discretionary appeal is accepted on Proposition of Law No. I.
Lundberg Stratton, O'Donnell, and McGee Brown, JJ., would also grant the motion as to Proposition of Law No. II.
Pfeifer, Lanzinger, and Cupp, JJ., dissent.

2010-1845. Lipton v. Castanias.
Warren App. No. CA2009-11-152, 2010-Ohio-4300. Reported at 127 Ohio St.3d 1533, 2011-Ohio-376, 940 N.E.2d 986. On motion for reconsideration. Motion denied.

2010-1861. Henry v. Mandell-Brown.
Hamilton App. No. C-090752, 2010-Ohio-3832. Reported at 127 Ohio St.3d 1534, 2011-Ohio-376, 940 N.E.2d 987. On motion for reconsideration. Motion denied.
Pfeifer, J., dissents.

2010-1867. State v. Hawks.

Cuyahoga App. No. 93582, 2010-Ohio-4345. Reported at 127 Ohio St.3d 1534, 2011-Ohio-376, 940 N.E.2d 987. On motion for reconsideration. Motion denied.
Lundberg Stratton and McGee Brown, JJ., dissent.

2010-1869. State v. Antenori.

Cuyahoga App. No. 90580, 2008-Ohio-5987. Reported at 127 Ohio St.3d 1534, 2011-Ohio-376, 940 N.E.2d 987. On motion for reconsideration. Motion denied.
Lanzinger, J., dissents.

2010-1877. State v. Roy.

Butler App. No. CA2009-11-290, 2010-Ohio-4405. Reported at ___ Ohio St.3d ___, 2010-Ohio-544, ___ N.E.2d ___. On motion for reconsideration. Motion denied.

2010-1879. Hayward v. Bellmann.

Williams App. No. WM-09-007, 2010-Ohio-3438. Reported at 127 Ohio St.3d 1534, 2011-Ohio-376, 940 N.E.2d 987. On motion for reconsideration. Motion denied.

2010-1912. Swallie v. Rousenberg.

Monroe App. No. 09-MO-2, 2010-Ohio-4573. On motion for reconsideration. Motion denied.

2010-1918. State ex rel. Elbert v. Miraldi.

Lorain App. No. 10CA009749. Reported at 127 Ohio St.3d 1507, 2011-Ohio-180, 939 N.E.2d 1269. On motion for reconsideration. Motion denied.
Lanzinger and Cupp, JJ., dissent.

2010-1927. White v. Bannerman.

Stark App. No. 2009CA00221, 2010-Ohio-4846. Reported at 127 Ohio St.3d 1535, 2011-Ohio-376, 940 N.E.2d 988. On motion for reconsideration. Motion denied.

2010-2050. State v. Hill.

Franklin App. No. 09AP-398. Reported at 127 Ohio St.3d 1536, 2011-Ohio-376, 940 N.E.2d 989. On motion for reconsideration. Motion denied.