

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

September 6, 2011

[Cite as *09/06/2011 Case Announcements*, 2011-Ohio-4449.]

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### SLIP OPINIONS REPLACED BY OHIO OFFICIAL REPORTS VERSIONS AS OF SEPTEMBER 5, 2011

The official versions of the opinions listed below, which were previously released as slip opinions, have been published in the September 5, 2011 Ohio Official Reports advance sheet. These opinions should now be cited using the Ohio Official Reports citation format.

**2010-0465. State v. Adkins, 129 Ohio St.3d 287, 2011-Ohio-3141.**

**2010-0729 and 2010-0730. In re Application of Columbus S. Power Co., 129 Ohio St.3d 271, 2011-Ohio-2638.**

**2010-0963. Rhodes v. New Philadelphia, 129 Ohio St.3d 304, 2011-Ohio-3279.**

**2010-1049 and 2010-1275. Ward v. United Foundries, Inc., 129 Ohio St.3d 292, 2011-Ohio-3176.**

**2010-1886. Toledo Bar Assn. v. Pheils, 129 Ohio St.3d 279, 2011-Ohio-2906.**

**2010-2203. Disciplinary Counsel v. Raso, 129 Ohio St.3d 277, 2011-Ohio-2900.**

**2010-2251. Disciplinary Counsel v. Folwell, 129 Ohio St.3d 297, 2011-Ohio-3181.**

**2011-0174. State ex rel. Williams v. McGinty, 129 Ohio St.3d 275, 2011-Ohio-2641.**

## **MOTION AND PROCEDURAL RULINGS**

**2006-1366. State v. Short.**

Montgomery C.P. No. 2004 CR 02635. This cause came on for further consideration upon the filing of appellant's motion for stay of execution scheduled for January 9, 2013, and motion for appointment of counsel. Upon consideration thereof, it is ordered by the court that the motions are granted.

It is further ordered that this stay shall remain in effect until exhaustion of all state postconviction proceedings, including any appeals. Counsel for appellant and for appellee shall notify this court when all proceedings for postconviction relief before the courts of this state have been exhausted.

It is further ordered by the court that the Ohio Public Defender's office is appointed to represent appellant in this case.

**2011-0486. State v. Emerson.**

Cuyahoga App. No. 94413, 2011-Ohio-593. Review of the appellant's merit brief reveals that it fails to comply with S.Ct.Prac.R. 8.4(A)(3), which states that all documents "shall be at least 12-point, double-spaced noncondensed type" and further states that "'noncondensed type' shall refer either to Times New Roman Type or to another type that has no more than eighty characters to a line of text." Therefore, it is ordered by the court, sua sponte, that the document is stricken.

The appellant shall file an amended merit brief within ten days of the date of this entry that complies with all provisions of the Rules of Practice of the Supreme Court of Ohio. Failure of the appellant to file an amended merit brief will result in dismissal of this appeal.

It is further ordered that the appellee's brief is still due within 30 days of September 1, 2011.