

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

February 3, 2011

[Cite as *02/03/2011 Case Announcements, 2011-Ohio-447.*]

MOTION AND PROCEDURAL RULINGS

2010-1325. State v. Everette.

Montgomery App. No. 23585, 2010-Ohio-2832. This cause is pending before the court as an appeal from the Court of Appeals for Montgomery County.

Upon consideration of appellant's motion for appointment of the Ohio Public Defender as counsel, it is ordered by the court that the motion is granted, and Jeremy J. Masters of the Ohio Public Defender's office is appointed to represent appellant.

2010-1977. In re Application of R.E. Burger Units 4 & 5.

Public Utilities Commission, No. 09-1940-EL-REN. This cause is pending before the court as an appeal from the Public Utilities Commission of Ohio.

Upon consideration of intervening appellee's motion to dismiss, it is ordered by the court, sua sponte, that the Public Utilities Commission of Ohio shall file a response to the intervening appellee's motion to dismiss within ten days of the date of this entry. Both appellant and the intervening appellee may file a reply to the Public Utilities Commission of Ohio's response within ten days of the date of its filing.

It is further ordered that the briefing schedule in this case is stayed pending further order of the court.

MISCELLANEOUS DISMISSALS

2010-1042. State ex rel. Neofotistos v. Indus. Comm.

Franklin App. No. 09AP-712, 2010-Ohio-2065. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. It appears from

the records of this court that appellant has not filed a merit brief, due January 31, 2011, 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.