

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

February 24, 2011

[Cite as *02/24/2011 Case Announcements, 2011-Ohio-807.*]

MERIT DECISIONS WITH OPINIONS

2010-0235. State v. Ford, Slip Opinion No. 2011-Ohio-765.

Licking App. No. 08 CA 158, 2009-Ohio-6724. Certified question answered in the negative, and judgment of the court of appeals affirmed.

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

2010-1828. Cincinnati Bar Assn. v. Sanz, Slip Opinion No. 2011-Ohio-766.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 10-028. Ricardo R. Sanz, Attorney Registration No. 0037659, 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.

2010-1862. Disciplinary Counsel v. Blair, Slip Opinion No. 2011-Ohio-767.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 10-013. Rebecca Susan Blair, Attorney Registration No. 0037270, is suspended from the practice of law in Ohio for two years, with 18 months stayed on conditions, and probation imposed.

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

2010-1863. Columbus Bar Assn. v. Van Sickle, Slip Opinion No. 2011-Ohio-774.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 10-084. John Allan Van Sickle, Attorney Registration No. 0013780, is indefinitely suspended from the practice of law in Ohio.

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

Pfeifer, J., dissents and would suspend the respondent for two years, with one year stayed.

MOTION AND PROCEDURAL RULINGS

2010-0943. State ex rel. N. Ohio Chapter of Associated Builders & Contrs., Inc. v. Barberton City School Bd. of Edn.

Summit App. No. 24898, 188 Ohio App.3d 395, 2010-Ohio-1826. This cause is pending before the court as a discretionary appeal and claimed appeal of right.

Upon consideration of appellants' motion for continuance of oral argument scheduled for Wednesday, March 23, 2011, it is ordered by the court that the motion is granted, and oral argument is rescheduled for Tuesday, April 19, 2011.

2010-1203. Cleveland Hts. v. Lewis.

Cuyahoga App. No. 92917, 187 Ohio App.3d 786, 2010-Ohio-2208. This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County.

It is ordered by the court, sua sponte, that amici curiae Cuyahoga County Public Defender and Ohio Association of Criminal Defense Lawyers shall serve appellee with a copy of the motion to participate in oral argument and provide the court with proof of service within five days of the date of this entry. Appellee may file a response to the motion within ten days of the date of service.

2011-0257. In re J.B.A.

Licking App. No. 10-CA-30, 2010-Ohio-6564. This cause is pending before the court as a discretionary appeal and claimed appeal of right.

Upon consideration of appellant's motion to stay the execution of the December 30, 2010 judgment of the court of appeals, it is ordered by the court that the motion is granted in part and denied in part. The community notification requirements are hereby stayed, but appellant's requirement to register as a Tier III juvenile sex offender is not stayed.

Pfeifer, J., would also stay the registration requirement.

O'Donnell, J., would deny the stay of the community notification requirement.

DISCIPLINARY CASES

2010-2199. Disciplinary Counsel v. Johnson.

This cause is pending before the court upon the filing of a report by the Board of Commissioners on Grievances and Discipline.

Upon consideration of respondent's motion to supplement the record and motion to remand proceedings to the board, it is ordered by the court that the motions are granted; however, both the supplementation of the record and the board's review of the case upon remand shall be limited to consideration of mitigation evidence.

MISCELLANEOUS DISMISSALS

2010-2025. State v. Jones.

Marion App. No. 9-10-09, 2010-Ohio-4823. This cause is pending before the court as a discretionary appeal and claimed appeal of right. It appears from the records of the court that the appellant has not filed a memorandum in support of jurisdiction, due February 18, 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.

2010-2068. State v. Ortiz.

Cuyahoga App. No. 91819, 2010-Ohio-3713. This cause is pending before the court as a discretionary appeal and claimed appeal of right. It appears from the records of the court that the appellant has not filed a memorandum in support of jurisdiction, due February 18, 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.

2010-2090. State ex rel. Luna v. Spaeth.

Butler App. No. CA2010-09-243. This cause is pending before the court as an appeal from the Court of Appeals for Butler County. It appears from the records of this court that appellant has not filed a merit brief, due February 22, 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.

2010-2097. State ex rel. Carrion v. Betleski.

Lorain App. No. 10CA0009856. This cause is pending before the court as an appeal from the Court of Appeals for Lorain County. It appears from the records of this court that appellant has not filed a merit brief, due February 22, 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.

MISCELLANEOUS ORDERS

2011-0191. Disciplinary Counsel v. Jones.

This matter is before the court upon Thomas Jones's filing of a motion to quash subpoena and/or motion for protective order. Upon consideration thereof, it is ordered that the motion to quash and/or for protective order is denied.

This matter is also before the court upon Jones's filing of a motion to strike Disciplinary Counsel's memorandum in opposition to the motion to quash subpoena and/or for protective order. Upon consideration thereof, the motion to strike is denied.