

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

February 22, 2012

[Cite as *02/22/2012 Case Announcements, 2012-Ohio-648.*]

MERIT DECISIONS WITH OPINIONS

2011-0230. State v. Carrick, Slip Opinion No. 2012-Ohio-608.

Wayne App. No. 09CA0077, 2010-Ohio-6451. Court of appeals judgment affirmed.

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

Pfeifer, J., concurs in judgment only.

2011-0737. In re Complaint of Wilkes v. Ohio Edison Co., Slip Opinion No. 2012-Ohio-609.

Public Utilities Commission, No. 09-682-EL-CSS. Order affirmed.

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

2011-0803. Akron Bar Assn. v. Carr, Slip Opinion No. 2012-Ohio-610.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 10-047. Jeffrey A. Carr, Attorney Registration No. 0081745, is suspended from the practice of law for six months, with the entire six-month suspension stayed on conditions.

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

MERIT DECISIONS WITHOUT OPINIONS

2011-1207. State ex rel. Hartman v. Haddad.

In Mandamus and Prohibition. On consideration of supplemental briefs. Mandamus and prohibition claims dismissed as moot. Relator's request for attorney fees and statutory damages denied. Cause dismissed.

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

2011-2006. Huelsman v. Grosz.

In Quo Warranto. 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.

2011-2047. State ex rel. Harrison v. Disciplinary Counsel.

In Mandamus. On motion to dismiss. Motion to dismiss granted. Relator's motion to for judgment on the pleadings is denied as moot. Cause dismissed.

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

2011-2057. State ex. rel. Jackson v. Ater.

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.

2011-2078. McCann v. Bowling.

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.

2011-2081. Smith v. Sheward.

In Prohibition. On answer of respondent. On Sup.Ct.Prac.R. 10.5 determination, cause dismissed.

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

2011-2089. State ex rel. Thomas v. Corrigan.

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.

2011-2099. Lopez v. Russo.

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.

2011-2108. Hayden v. McGee.

In Procedendo. 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.

2011-2143. State ex rel. Fugate v. Bessey.

In Mandamus. On answer and motions to dismiss of respondents. Motions to dismiss granted. Cause dismissed.

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

2011-2153. Lenard v. Russo.

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.

2011-2177. Winn v. Cuyahoga Cty. Common Pleas Court.

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

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

2011-2195. State ex rel. Acord v. Brunsman.

In Habeas Corpus. On petition for writ of habeas corpus of Robert Acord. 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

2009-1292. State ex rel. Doner v. Logan.

In Mandamus. On motion for award of attorney fees and costs. Motion denied.
Eve V. Belfance, J., of the Ninth Appellate District, sitting for Cupp, J.

2011-1477. Royse v. Dayton.

Montgomery App. No. 24172, 195 Ohio App.3d 81, 2011-Ohio-3509. On notice regarding jurisdictional status and request to dismiss the case as improvidently accepted. Motion denied.

2011-1921. State v. Sowell.

Cuyahoga C.P. No. CR-09-530885. This cause is pending before the court as a death penalty appeal from the Court of Common Pleas for Cuyahoga County.

Upon consideration of appellant's motion to set parameters for and to order payment of counsel's fees and expenses, it is ordered by the court that the motion is denied.

2011-2160. LeBlanc v. Wells Fargo Advisors, L.L.C.

Montgomery App. No. 24348, 2011-Ohio-5553. On review of order certifying a conflict. The court determines that a conflict exists. The parties are to brief the issue stated at page 3 of the court of appeals' journal entry filed December 19, 2011:

“In a dispute between (1) a specifically designated and (2) a clearly intended beneficiary of an individual retirement account (IRA), where the account custodian files an interpleader action and purportedly waives compliance with its change of beneficiary procedure, is the ‘clearly intended’ beneficiary required to show that the owner of the IRA account substantially complied with the change of beneficiary procedure in order to recover?”

The conflict case is *Kelly v. May Assoc. Fed. Credit Union*, Summit App. No. 23423, 2008-Ohio-1507.

Sua sponte, cause consolidated with 2011-2073, *Leblanc v. Wells Fargo Advisors, L.L.C.*, Montgomery App. No. 24348, 2011-Ohio-5553.

2011-2165. State v. Head.

Franklin App. No. 11AP-58, 2011-Ohio-4366. On motion for delayed appeal. Motion denied.

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

2011-2169. State v. Capell.

Hamilton App. No. C-100798. On motion for delayed appeal. Motion granted.
O'Connor, C.J., and O'Donnell, J., dissent.

2011-2178. State v. Steele.

Hamilton App. No. C-100637, 2011-Ohio-5479. On motion for delayed appeal.
Motion granted.
O'Connor, J., and O'Donnell and Lanzinger, JJ., dissent.

2011-2187. State v. Ogletree.

Cuyahoga App. No. 96438, 2011-Ohio-5846. On review of order certifying a conflict. The court determines that a conflict exists. Sua sponte cause held for the decision in 2011-1066, *State v. Brunning*, Cuyahoga App. No. 95376, 2011-Ohio-1936; cause consolidated with 2011-2093, *State v. Ogletree*, Cuyahoga App. No. 96438, 2011-Ohio-5846; and briefing schedule stayed.

2012-0009. State v. Wilson.

Summit App. No. 25100, 2011-Ohio-4072. On motion for delayed appeal. Motion denied.
Pfeifer, J., dissents.

2012-0023. State v. Cartier.

Delaware App. No. 10CAA01001, 2010-Ohio-2332. On motion for delayed appeal. Motion denied.

2012-0030. State v. Gates.

Portage App. No. 2011-P-0001, 2010-Ohio-5711. On review of order certifying a conflict. The court determines that a conflict exists. Sua sponte cause held for the decision in 2011-0811, *State v. Smith*, Warren App. No. CA2010-06-057, 2011-Ohio-1188; and briefing schedule stayed.

2012-0049. State v. Fox.

Franklin App. No. 11AP-106, 2011-Ohio-2751. On motion for delayed appeal. Motion denied.
Pfeifer, J., dissents.

2012-0054. State v. Tell.

Cuyahoga App. No. 95425, 2011-Ohio-2661. On motion for delayed appeal. Motion denied.

2012-0061. State v. King.

Cuyahoga App. No. 95492, 2011-Ohio-2916. On motion for delayed appeal. Motion denied.

2012-0301 Vanderbilt Mtge. and Fin., Inc. v. Lloyd.

Holmes App. No. 10 CA 24. This cause is pending before the court as a discretionary appeal and claimed appeal of right.

Upon consideration of appellant's motion for expedited review, it is ordered by the court that the motion is denied.

APPEALS ACCEPTED FOR REVIEW

2011-1899. Beary v. Larry Murphy Dump Truck Serv., Inc.

Stark App. No. 2011-CA-00048, 2011-Ohio-4977. Discretionary appeal accepted on Proposition of Law I; cause held for the decision in 2011-2013, *Hewitt v. L.E. Myers Co.*, Cuyahoga App. No. 96138, 2011-Ohio-5413.

McGee Brown would also accept the appeal on Proposition of Law II. Pfeifer and O'Donnell, JJ., dissent.

2011-1925. State v. Jackson.

Lorain App. No. 10CA009791, 2011-Ohio-4998. Discretionary appeal accepted.

Lundberg Stratton, O'Donnell, and McGee Brown, JJ., would also hold the cause for the decision in 2011-0599, *State v. Eafford*, Cuyahoga App. No. 94718, 2011-Ohio-927.

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

2011-1933. Rayess v. Educational Comm. for Foreign Med. Graduates.

Montgomery App. No. 24125. Discretionary appeal accepted.

Pfeifer, O'Donnell, and Cupp, JJ., dissent.

On motion to extend validity of confidentiality agreement. Motion granted.

Pfeifer and O'Donnell, JJ., dissent.

2011-1979. D.W. v. T.L.

Clinton App. No. CA2011-03-004, 2011-Ohio-5228.

Pfeifer, O'Donnell, and Cupp, JJ., dissent.

2011-2013. Hewitt v. L.E. Myers Co.

Cuyahoga App. No. 96138, 2011-Ohio-5413.

Pfeifer, J., dissents.

2011-2073. Leblanc v. Wells Fargo Advisors, L.L.C.

Montgomery App. No. 24348, 2011-Ohio-5553. Discretionary appeal accepted and cause consolidated with 2011-2160, *Leblanc v. Wells Fargo Advisors, L.L.C.*, Montgomery App. No. 24348, 2011-Ohio-5553.

2011-2093. State v. Ogletree.

Cuyahoga App. No. 96438, 2011-Ohio-5846. Discretionary appeal accepted; cause held for the decision in 2011-1066, *State v. Brunning*, Cuyahoga App. No. 95376, 2011-Ohio-1936; cause consolidated with 2011-2187, *State v. Ogletree*, Cuyahoga App. No. 96438, 2011-Ohio-5846; and briefing schedule stayed.

McGee Brown, J., would accept the appeal on Proposition of Law II only.

Pfeifer, J., dissents.

APPEALS NOT ACCEPTED FOR REVIEW

2011-1822. State v. Osman.

Athens App. No. 09CA36, 2011-Ohio-4626. Discretionary appeal not accepted.

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

Discretionary cross-appeal not accepted.

Lundberg Stratton, J., dissents and would accept the cross-appeal on Proposition of Law I.

2011-1839. Schafer v. Soderberg & Schafer C.P.A.s, L.L.C.

Ottawa App. No. OT-10-009, 2011-Ohio-4687.

2011-1893. State v. Cunningham.

Lake App. No. 2010-L-153, 2011-Ohio-5108.

2011-1895. State v. Thompson.

Lucas App. Nos. L-08-1208 and L-09-1214, 2011-Ohio-5046.

2011-1896. State v. Broderdorp.

Seneca App. No. 13-11-11, 2011-Ohio-4894.

2011-1904. State v. Rittner.

Fulton App. No. F-11-001, 2011-Ohio-5045.

Lanzinger, J., not participating.

2011-1905. Blaine v. OhioHealth Corp.

Franklin App. No. 10AP-1137, 2011-Ohio-4925.

2011-1908. State v. Hall.

Cuyahoga App. No. 95983, 2011-Ohio-5155.

O'Donnell, J., dissents.

2011-1909. State v. Warren.

Trumbull App. No. 2010-T-0027, 2011-Ohio-4886.

2011-1910. State v. Velez.

Lorain App. No. 11CA009999, 2011-Ohio-5220.

2011-1911. State ex rel. Davila v. Bellefontaine.

Logan App. No. 8-11-01, 2011-Ohio-4890.

2011-1912. State v. Ricks.

Erie App. No. E-10-022, 2011-Ohio-5043.

O'Connor, C.J., dissents and would accept the appeal on Proposition of Law II.

Lanzinger and McGee Brown, JJ., dissent.

2011-1913. Vocaire v. Stafford & Stafford Co., L.P.A.

Cuyahoga App. No. 96302, 2011-Ohio-4957.

2011-1915. Lockhart Dev. Co. v. Summit Cty. Bd. of Revision.

Summit App. No. 25728, 2011-Ohio-5000.

O'Donnell, J., dissents.

2011-1916. State v. Baldwin.

Medina App. No. 10CA0078-M, 2011-Ohio-4988.

O'Donnell, J., dissents.

2011-1917. State v. Harshaw.

Hamilton App. No. C-100750.

2011-1919. Reynoldsburg City School Dist. Bd. of Edn. v. Licking Hts. Local School Dist. Bd. of Edn.

Franklin App. No. 11AP-173, 2011-Ohio-5063.

2011-1929. State v. MacKenzie.

Delaware App. No. 11-CA-7, 2011-Ohio-4966.

O'Donnell, J., dissents.

2011-1932. Arnold v. Ohio Adult Parole Auth.

Franklin App. No. 11AP-120, 2011-Ohio-4928.

2011-1938. Roberts v. Pineda.

Hocking App. No. 11CA28.

2011-1941. Henneke v. Ohio Dept. of Ins.

Franklin App. No. 11AP-254, 2011-Ohio-5366.

2011-1942. Humphrey v. Garbo.

Perry App. No. 11-CA-2, 2011-Ohio-5193.

2011-1944. State v. Manley.

Allen App. No. 1-11-04, 2011-Ohio-5082.

2011-1950. State v. Woodrum.

Hamilton App. No. C-100783.

2011-1951. Shearer v. VCA Antech, Inc.

Franklin App. No. 11AP-44, 2011-Ohio-5171.

Pfeifer, J., dissents.

2011-1952. In re Guardianship of Goldstein.

Cuyahoga App. No. 97051. Discretionary appeal not accepted. Motion to dismiss and request for sanctions denied as moot.

Pfeifer, J., dissents.

2011-1956. State v. Mahan.

Cuyahoga App. No. 95696, 2011-Ohio-5154.

2011-1958. State v. Short.

Hamilton App. No. C-100552, 2011-Ohio-5245.

2011-1964. State v. Rhodes.

Cuyahoga App. Nos. 95683 and 96337, 2011-Ohio-5153.

2011-1966. State v. Barnes.

Brown App. No. CA2010-06-009, 2011-Ohio-5226.

O'Donnell, J., dissents.

2011-1967. State v. Varholick.

Cuyahoga App. No. 96464, 2011-Ohio-5277.

2011-1969. Beasley v. Watkins-Alum Creek Co.

Fayette App. Nos. CA2010-09-021 and CA2010-09-027, 2011-Ohio-5229.

Pfeifer and O'Donnell, JJ., dissent.

2011-1972. Estate of Heintzelman v. Air Experts, Inc.

Delaware App. No. 11CAE050043, 2011-Ohio-5242.

Pfeifer, J., dissents.

2011-1975. State v. McKinney.

Franklin App. Nos. 07AP-868 and 06AP-510.

2011-1976. State v. May.

Lake App. No. 2010-L-131, 2011-Ohio-5233.

O'Connor, C.J., dissents and would accept the appeal on Proposition of Law I.

2011-1977. State v. Watkins.

Butler App. No. CA2010-09-228, 2011-Ohio-5227.

2011-1981. State v. Viera.

Delaware App. No. 11CAA020020, 2011-Ohio-5263.

2011-1983. James v. Vaile.

Delaware App. No. 11CAF030027, 2011-Ohio-5240.

2011-1984. Palivoda v. Felix.

Ashtabula App. No. 2010-A-0017, 2011-Ohio-5231.

2011-1987. State v. Frazier.

Stark App. No. 2010 CA 00042.

2011-1989. Tuscarawas Twp. Bd. of Trustees v. Stark Cty. Bd. of Commrs.
Stark App. No. 2011CA00043, 2011-Ohio-5581.

2011-1994. State v. Williams.
Hamilton App. No. C-110077.

2011-1997. State v. Walker.
Richland App. No. 10 CA 116.

2011-2000. State v. Garber.
Ashland App. No. 11-COA-039.

2011-2002. State v. Hamrick.
Madison App. No. CA2011-01-002, 2011-Ohio-5357.
Pfeifer and O'Donnell, JJ., dissent.

2011-2003. State v. Lynch.
Cuyahoga App. No. 96441, 2011-Ohio-5502.
Lundberg Stratton, J., dissents.

2011-2008. State v. Rivarde.
Butler App. No. CA2010-10-259, 2011-Ohio-5354.
O'Donnell, J., dissents.

2011-2009. Fisk v. Rauser & Assoc. Legal Clinic Co., L.L.C.
Franklin App. No. 10AP-427, 2011-Ohio-5465.
Lundberg Stratton and O'Donnell, JJ., dissent.

2011-2010. State v. Mann.
Franklin App. No. 10AP-1131, 2011-Ohio-5286.

2011-2014. Byers v. Burkham.
Delaware App. No. 11 CAE 09 0083.

2011-2016. State v. Caldwell.
Richland App. No. 2011-CA-0024, 2011-Ohio-5429.
O'Donnell, J., dissents.

2011-2017. Wood v. Fillinger.
Cuyahoga App. No. 97032.

O'Connor, C.J., dissents and would accept the appeal on Propositions of Law I, III, and IV.

2011-2018. State v. Williams.

Cuyahoga App. No. 95748, 2011-Ohio-5385.

2011-2019. State v. Bess.

Cuyahoga App. No. 91560, 2011-Ohio-5490.

2011-2020. State v. Williams.

Marion App. No. 9-11-22.

2011-2021. State v. Alt.

Cuyahoga App. No. 96289, 2011-Ohio-5393.

2011-2022. Lucki v. Ohio Dept. of Rehab. & Corr.

Franklin App. No. 11AP-43, 2011-Ohio-5404.

2011-2030. State v. Feeney.

Summit App. No. 25727, 2011-Ohio-5474.

2011-2035. State v. Mosley.

Franklin App. No. 11AP-209, 2011-Ohio-5365.

2011-2044. State v. Gomez.

Summit App. Nos. 25496 and 25501, 2011-Ohio-5475.

2011-2050. State v. Davis.

Hamilton App. No. C-110148.

2011-2051. State v. Wesseling.

Hamilton App. No. C-110193, 2011-Ohio-5882.

2011-2063. State v. Rodgers.

Hancock App. No. 5-10-35, 2011-Ohio-3003.

2011-2064. Jones v. Xenia.

Greene App. No. 2011 CA 27, 2011-Ohio-5545.

Lanzinger and McGee Brown, JJ., dissent.

2011-2079. State v. Najeeb.

Cuyahoga App. Nos. 96689 and 96690, 2011-Ohio-6081.

2011-2080. State v. Warmus.

Cuyahoga App. No. 96026, 2011-Ohio-5827.

2011-2082. State v. Hanna.

Hamilton App. No. C-110006.

2011-2090. State v. Christian.

Jefferson App. No. 07 JE 9.

2011-2091. State v. Cemino.

Montgomery App. No. 24442, 2011-Ohio-5690.

2011-2092. State v. Jackson.

Fayette App. No. CA2011-01-001, 2011-Ohio-5593.

2011-2107. State v. Wilson.

Cuyahoga App. No. 96098, 2011-Ohio-5653.

2011-2114. State v. Mestre.

Cuyahoga App. No. 96820, 2011-Ohio-5677.

O'Donnell and Cupp, JJ., dissent.

2011-2117. State v. Jaros.

Lucas App. No. L-10-1101, 2011-Ohio-5037.

2011-2173. State v. Collier.

Cuyahoga App. No. 95572, 2011-Ohio-6154.

2012-0001. In re A.D.

Butler App. No. CA2011-06-100, 2011-Ohio-5979.

O'Donnell, J., dissents.

RECONSIDERATION OF PRIOR DECISIONS

2011-1383. State v. Raber.

Wayne App. No. 10CA0020, 2011-Ohio-3888. Reported at 130 Ohio St.3d 1494, 2011-Ohio-6556, 958 N.E.2d 957. On motion for reconsideration. Motion granted.

The clerk shall issue an order for the transmittal of the record from the Court of Appeals for Wayne County, and the parties shall brief this case in accordance with the Rules of Practice of the Supreme Court of Ohio.

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

2011-1519. Cobb v. Shipman.

Trumbull App. No. 2011-T-0049. Reported at 130 Ohio St.3d 1494, 2011-Ohio-6556, 958 N.E.2d 957. On motion for reconsideration. Motion denied.

2011-1541. State v. Lowe.

Hamilton App. No. C-100524. Reported at 130 Ohio St.3d 1495, 2011-Ohio-6556, 958 N.E.2d 957. On motion for reconsideration. Motion denied.

2011-1548. State v. Greenlee.

Cuyahoga App. No. 96002, 2011-Ohio-3692. Reported at 130 Ohio St.3d 1495, 2011-Ohio-6556, 958 N.E.2d 957. On motion for reconsideration. Motion granted and discretionary appeal allowed on Proposition of Law No. V and cause held for the decision in 2011-1066, *State v. Brunning*, Cuyahoga App. No. 95376, 2011-Ohio-1936.

O'Connor, C.J., and Lanzinger and McGee Brown, JJ., concur but would also allow all other propositions of law.

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

2011-1551. HSBC Bank, N.A. v. Lee.

Hamilton App. No. C-100385. Reported at 130 Ohio St.3d 1495, 2011-Ohio-6556, 958 N.E.2d 957. On motion for reconsideration. Motion denied.

2011-1624. Medina v. Medina Gen. Hosp.

Cuyahoga App. No. 96171, 2011-Ohio-3990. Reported at 130 Ohio St.3d 1496, 2011-Ohio-6556, 958 N.E.2d 958. On motion for reconsideration. Motion denied.

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

2011-1656. Shoop v. Routson.

In Procedendo. Reported at 130 Ohio St.3d 1490, 2011-Ohio-6556, 958 N.E.2d 954. On motion for reconsideration. Motion denied.

2011-1685. State ex rel. Williams v. Sieve.

In Mandamus. Reported at 130 Ohio St.3d 1490, 2011-Ohio-6556, 958 N.E.2d 954. On motion for reconsideration. Motion denied.

2011-1714. State ex rel. Shepherd v. Henson.

In Mandamus. Reported at 130 Ohio St.3d 1490, 2011-Ohio-6556, 958 N.E.2d 954. On motion for reconsideration. Motion denied.

MISCELLANEOUS DISMISSALS

2011-1631. State v. Sowell.

Cuyahoga C.P. No. CR-09-530885. On appellant's motion to remand and to determine proper jurisdiction, and appellee's motion to dismiss for lack of jurisdiction. Motion to dismiss granted. Cause dismissed.

2011-1833. State v. Sowell.

Cuyahoga C.P. No. CR-09-530885-A. On appellee's motion to dismiss for lack of jurisdiction. Motion to dismiss granted. Cause dismissed.