

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

February 6, 2013

[Cite as *02/06/2013 Case Announcements, 2013-Ohio-347.*]

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## MERIT DECISIONS WITHOUT OPINIONS

### **2012-1742. State ex rel. Sylvester v. Neal.**

In Mandamus. An alternative writ is granted and the following briefing schedule is set for presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 12.05:

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 10 days of the filing of the evidence; respondent 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 the filing of respondent's brief.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

### **2012-1821. State v. Wilson.**

Cuyahoga App. No. 97657, 2012-Ohio-4153. Discretionary appeal accepted. Judgment reversed and cause remanded for further proceedings consistent with *State v. Brunning*, \_\_\_ Ohio St.3d \_\_\_, 2012-Ohio-5752, \_\_\_ N.E.2d \_\_\_.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

### **2012-1920. Johnson v. Mooney.**

In Prohibition. On motion to dismiss. Motion to dismiss granted. Motion to strike motion to dismiss denied as moot. Cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

**2012-1924. State ex rel. Cincinnati Enquirer v. Lyons.**

In Mandamus. An alternative writ is granted and the following briefing schedule is set for presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 12.05:

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 10 days of the filing of the evidence; respondent 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 the filing of respondent's brief.

Upon consideration of relator's motion for leave to amend complaint for writ of mandamus, it is ordered by the court that the motion is denied.

O'Connor, C.J., and Lanzinger, Kennedy, and O'Neill, JJ., concur.

Pfeifer, J., dissents and would dismiss the cause.

O'Donnell and French, JJ., dissent and would grant the motion to amend and defer further ruling at this time.

**2012-1956. State ex rel. Bates v. Ellwood.**

In Mandamus. On answer of respondent. On S.Ct.Prac.R. 12.04 determination, cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

**2012-1962. State ex rel. Boyles v. Martin.**

In Procedendo. On complaint in procedendo of William D. Boyles. On S.Ct.Prac.R. 12.04 determination, cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

**2012-1979. Berry v. Robinson.**

In Mandamus. On motion to dismiss of Norm Robinson, Corby Free, and Theresa Magill. Motion to dismiss granted. Cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

**2012-1986. Belfance v. Talafhah.**

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

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

**2012-1987. Hayden v. Fuerst.**

In Mandamus. On motion to dismiss. Motion to dismiss granted. Motion for judgment on the pleadings and motion for leave to amend denied as moot. Cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

**2012-1990. Harris v. Schneider.**

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

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

**2012-1999. State ex rel. Muhammad v. O'Shaughnessy.**

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

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

**2012-2001. Buess v. DeWine.**

On complaint for declaratory judgment and motion to dismiss. Motion to dismiss granted. Cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

**2012-2028. Johnson v. Athens Cty. Court of Common Pleas.**

In Mandamus. Upon consideration of Athens County Court of Common Pleas motions to dismiss and to have relator declared a vexatious litigator pursuant to S.Ct.Prac.R. 14.5(B) [current rule S.Ct.Prac.R. 4.03(B)], and the motion to dismiss of Athens County Court of Common Pleas, it is ordered by the court that the motions to dismiss are granted and the motion to declare relator a vexatious litigator is granted. Accordingly, this cause is dismissed and Cindy Johnson, a.k.a. Cinseree Johnson, is found to be a vexatious litigator under S.Ct.Prac.R. 4.03(B).

It is ordered by the court that Cindy Johnson, a.k.a. Cinseree Johnson, is prohibited from continuing or instituting legal proceedings in this court without first obtaining leave. Any request for leave shall be submitted to the clerk of this court for the court's review.

Upon consideration of relator's motions to strike the motion to dismiss and motion to declare relator a vexatious litigator, for default judgment, and to strike

the appearance of Judge Michael Ward and Judge Alan Goldsberry, it is ordered by the court that the motions are denied.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

**2012-2030. In re Dunkle v. Marcelain.**

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

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

**2012-2067. Ilataza: Ban- Yasharahla El v. Rothgery.**

In Habeas Corpus. On petition for writ of habeas corpus of Ilataza: Ban-Yasharahla El. Sua sponte, cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

**2012-2076. Miller v. Walters.**

In Habeas Corpus. On petition for writ of habeas corpus of Rosanna Lynn Miller on behalf of Clair Ray Miller. Sua sponte, cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

**2012-2090. Miller v. LaRose.**

In Habeas Corpus. On petition for writ of habeas corpus of William R. Miller. Sua sponte, cause dismissed. Request for production of documents denied as moot.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

**2012-2091. Woods v. Honorable Hamilton Cty. Judge Having Jurisdiction in Hamilton Cty. Case No. B-0608484.**

In Mandamus. On complaint in mandamus of Barry Woods. On S.Ct.Prac.R. 12.04 determination, cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

## MOTION AND PROCEDURAL RULINGS

**2012-1888. State v. Walker.**

Richland App. No. 09-CA-88. On amended motion for delayed appeal. Motion denied.

Pfeifer, J., dissents.

**2012-2024. State ex rel. Helfrich v. Markus.**

Licking App. No. 12CA0071. On motion to dismiss. Motion to dismiss granted. Cause dismissed.

**2012-2047. State v. Heina.**

Medina App. No. 11CA0100-M, 2012-Ohio-4200. On motion for delayed appeal. Motion denied.

Pfeifer, Kennedy, and O'Neill, JJ., dissent.

**2012-2052. State v. Branham.**

Hamilton App. No. C-120187. On motion for delayed appeal. Motion granted.

O'Connor, C.J., and Lanzinger and French, JJ., dissent.

**2012-2059. State v. Toro.**

Cuyahoga App. No. 98912. On motion for delayed appeal. Motion denied.

Pfeifer and Kennedy, JJ., dissent.

**2012-2063. State v. Green.**

Franklin App. No. 11AP-526, 2012-Ohio-950. On motion for delayed appeal. Motion denied.

French, J., not participating.

**2012-2079. State v. Williams.**

Scioto App. No. 11CA3408, 2012-Ohio-4693. On motion for delayed appeal. Motion denied.

Kennedy and O'Neill, JJ., dissent.

**2012-2086. State v. Thomas.**

Hamilton App. No. C-090372. On motion for delayed appeal. Motion denied.

O'Neill, J., dissents.

**2012-2099. In re L.L.B.**

Butler App. No. CA2012-01-011, 2012-Ohio-4641. On review of order certifying a conflict. The court determines that a conflict exists. Sua sponte, cause held for the decision in 2012-1688, *In Re H.V.*, Lorain App. Nos. 11CA010139 and 11CA010140, 2012-Ohio-3742.

**2012-2104. State v. Brewer.**

Montgomery App. No. 24126, 2012-Ohio-2097. On motion for delayed appeal. Motion denied.

Lanzinger, J., dissents.

**2012-2110. CitiMortgage, Inc. v. Roznowski.**

Stark App. No. 2012-CA-93, 2012-Ohio-4901. On review of order certifying a conflict. The court determines that a conflict exists. The parties are to brief the issues stated at pages 2 and 3 of the court of appeals' entry filed November 29, 2012:

“1. Whether a judgment decree in foreclosure is a final appealable order if it includes as part of the recoverable damages amounts advanced by the mortgagee for inspections, appraisals, property protection and maintenance, but does not include specific itemization of those amounts in the judgment.

“2. Whether a mortgagor that contests amounts expended by a mortgagee for inspections, appraisals, property protection and maintenance can challenge those amounts as part of the proceedings to confirm the foreclosure sale, and appeal any adverse ruling in an appeal of the order of confirmation.”

Pfeifer and O'Donnell, JJ., dissent.

The conflict case is *LaSalle Bank Natl. Assn. v. Smith*, 7th Dist. No. 11 MA 85, 2012-Ohio-4040.

**2012-2118. State v. Creed.**

Cuyahoga App. No. 97317, 2012-Ohio-2627. On motion for delayed appeal. Motion denied.

**2012-2122. In re I.A.**

Montgomery App. No. 25078, 2012-Ohio-4973. 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' entry filed December 13, 2012:

“If a court commits a child to a secure facility, does R.C. 2152.83(B)(1) permit the court to conduct a classification hearing at the time of disposition?”

O'Donnell, J., dissents.

The conflict case is *In re B.G.*, 5th Dist. No. 2011-COA-012, 2011-Ohio-5898.

**2012-2126. State v. Brown.**

Montgomery App. No. 24906, 2012-Ohio-2793. On motion for delayed appeal. Motion denied.

Pfeifer, Kennedy, and O’Neill, JJ., dissent.

**2012-2127. State v. Johnson.**

Summit App. No. 25104. On motion for delayed appeal. Motion denied.

**2012-2129. State v. Hakim.**

Lucas App. No. L-10-1153, 2011-Ohio-5525. On motion for delayed appeal. Motion denied.

O’Neill, J., dissents.

**2012-2138. State v. Atkins.**

Sandusky App. No. S-12-018. On motion for delayed appeal. Motion denied.

**2012-2142. State v. Rossbach.**

Lucas App. No. L-11-1227, 2012-Ohio-4740. On motion for delayed appeal. Motion denied.

Kennedy and O’Neill, JJ., dissent.

**2012-2144. State v. Birdsall.**

Richland App. No. 12CA52. On motion for delayed appeal. Motion denied.

**2012-2154. Shelly Co. v. Karas Properties, Inc.**

Cuyahoga App. No. 98039, 2012-Ohio-5416. On motion for stay of court of appeals and trial court judgments pending appeal. Motion denied.

O’Neill, J., dissents.

**2012-2165. State v. Wells.**

Ashtabula App. No. 2011-A-0073, 2012-Ohio-4459. On motion for delayed appeal. Motion denied.

O’Neill, J., dissents.

**2012-2168. State v. Ashcraft.**

Butler App. No. CA2008-12-305, 2009-Ohio-5281. On motion for delayed appeal. Motion denied.

## APPEALS ACCEPTED FOR REVIEW

### **2012-1611. State v. Wine.**

Auglaize App. No. 2-12-01, 2012-Ohio-2837. Discretionary appeal accepted on Proposition of Law No. III.

O'Connor, C.J., and French, J., would also accept the discretionary cross-appeal.

O'Neill, J., would also accept Proposition of Law Nos. I, II, and IV and the discretionary cross-appeal.

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

### **2012-1722. Oaktree Condominium Assn., Inc. v. Hallmark Bldg. Co.**

Lake App. No. 2012-L-011, 2012-Ohio-3891.

Kennedy and French, JJ., dissent.

### **2012-1723. Snyder v. Ohio Dept. of Natural Resources.**

Jefferson App. No. 11 JE 27, 2012-Ohio-4039.

O'Donnell, Lanzinger, and French, JJ., dissent.

### **2012-1741. State v. Miranda.**

Franklin App. No. 11AP-788, 2012-Ohio-3971. Discretionary appeal accepted on Proposition of Law No. I.

O'Neill, J., would also accept the appeal on Proposition of Law Nos. II and III.

Pfeifer and O'Donnell, JJ., dissent.

French, J., not participating.

### **2012-1774. Lingo v. State.**

Cuyahoga App. No. 97537, 2012-Ohio-2391.

O'Donnell, Kennedy, and French, JJ., dissent.

### **2012-1782. State v. McGlothan.**

Cuyahoga App. No. 97212, 2012-Ohio-4049.

### **2012-1834. State v. Anderson.**

Mahoning App. No. 11-MA-43, 2012-Ohio-4390.

Pfeifer, J., dissents.



## APPEALS NOT ACCEPTED FOR REVIEW

**2012-1179. State v. Brown.**

Montgomery App. No. 24541, 2012-Ohio-1848.  
O'Donnell and O'Neill, JJ., dissent.

**2012-1269. State v. Jones.**

Warren App. No. CA2011-05-044, 2012-Ohio-1480.  
O'Neill, J., dissents.

**2012-1348. State v. Brown.**

Richland App. No. 11 CA 42, 2012-Ohio-2672.

**2012-1387. State v. Vance.**

Franklin App. No. 11AP-755, 2012-Ohio-2594.

**2012-1428. State v. Standifer.**

Warren App. No. CA2011-07-071, 2012-Ohio-3132.

**2012-1483. State v. Turner.**

Wood App. No. WD-11-025, 2012-Ohio-3863.  
O'Donnell, J., dissents.

**2012-1618. State v. Simes.**

Montgomery App. No. 24645, 2012-Ohio-3592.

**2012-1632. Leal v. Ohio Secy. of State.**

Franklin App. No. 12AP-68.

**2012-1641. Camp v. Star Leasing Co.**

Franklin App. No. 11AP-977, 2012-Ohio-3650.

**2012-1678. Marin v. Trumbull Cty.**

Trumbull App. No. 2011-T-0123, 2012-Ohio-2008. Discretionary appeal not accepted. Motion for stay denied as moot.

**2012-1680. Marin v. Trumbull Cty.**

Trumbull App. No. 2012-T-0025, 2012-Ohio-2012. Discretionary appeal not accepted. Motion for stay denied as moot.

**2012-1683. State v. Bates.**

Cuyahoga App. Nos. 97631, 97632, 97633, and 97634, 2012-Ohio-3949.

**2012-1684. State v. Rice.**

Greene App. No. 2011-CA-74, 2012-Ohio-4084.

**2012-1686. State v. Steible.**

Erie App. No. E-11-004, 2012-Ohio-1567.

**2012-1689. State v. Moore.**

Clark App. No. 12-CA-45.

Pfeifer, J., dissents.

**2012-1690. State v. Hersh.**

Cuyahoga App. No. 97592, 2012-Ohio-3807.

O'Neill, J., dissents.

**2012-1696. Gerson v. Shor.**

Hamilton App. No. C-110832.

O'Neill, J., dissents.

**2012-1703. State v. Blakely.**

Montgomery App. No. 25120, 2012-Ohio-3841.

**2012-1706. Montgomery v. Ohio State Univ.**

Franklin App. No. 11AP-1024, 2012-Ohio-5489.

French, J., not participating.

**2012-1718. State v. Burse.**

Hamilton App. Nos. C-110196 and C-110266.

**2012-1725. In re D.T.**

Summit App. No. 26413.

Lanzinger and O'Neill, JJ., dissent.

**2012-1726. Cleveland v. Abrams.**

Cuyahoga App. No. 97814, 2012-Ohio-3957.

**2012-1730. Century Natl. Bank v. Hines.**

Athens App. No. 11CA28, 2012-Ohio-4041.

O'Neill, J., dissents.

**2012-1732. Snype v. Cost.**

Portage App. No. 2012-P-0001, 2012-Ohio-3892.

**2012-1733. Yates v. Barilla.**

Lorain App. No. 11CA010055, 2012-Ohio-3876.

**2012-1734. Orth v. Franklin Cty. Children Servs.**

Franklin App. No. 12AP-195, 2012-Ohio-3977.

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

O'Donnell and O'Neill, JJ., dissent.

French, J., not participating.

**2012-1735. U.S. Bank, N.A. v. Sherwood.**

Hamilton App. No. C-110778.

**2012-1737. State v. Bandy.**

Cuyahoga App. No. 98807.

**2012-1738. State v. Sherman.**

Cuyahoga App. No. 97840, 2012-Ohio-3958.

O'Donnell, J., dissents.

**2012-1740. State v. Bryant.**

Hamilton App. No. C-110484, 2012-Ohio-3909.

O'Donnell, J., dissents.

**2012-1743. Shaker Hts. ex rel. Cannon v. DeFranco.**

Cuyahoga App. No. 98063, 2012-Ohio-3965.

O'Connor, C.J., and Kennedy and French, JJ., dissent.

**2012-1744. Hyams v. Cleveland Clinic Found.**

Cuyahoga App. No. 97439, 2012-Ohio-3945.

O'Neill, J., not participating.

**2012-1757. State v. Lampley.**

Richland App. No. 10CA30, 2012-Ohio-4071.

**2012-1760. State v. Varholick.**

Cuyahoga App. No. 98790.

**2012-1762. State v. Haddix.**

Stark App. No. 2011CA00276, 2012-Ohio-4259.

**2012-1764. State v. Just.**

Wayne App. No. 12CA0002, 2012-Ohio-4094.

Kennedy, French, and O’Neill, JJ., dissent.

**2012-1769. State v. Chaffins.**

Putnam App. No. 12-12-05, 2012-Ohio-4011.

**2012-1770. State v. Roseberry.**

Belmont App. No. 11 BE 21, 2012-Ohio-4115.

O’Neill, J., dissents.

**2012-1778. In re C.B.**

Shelby App. Nos. 17-12-05 and 17-12-06, 2012-Ohio-4012.

**2012-1780. Davet v. Fed. Natl. Mtge. Assn.**

Cuyahoga App. No. 97890, 2012-Ohio-3575.

**2012-1781. State v. Jones.**

Cuyahoga App. No. 97957, 2012-Ohio-4163.

**2012-1784. Defiance Cty. Bd. of Health v. McCalla.**

Defiance App. No. 4-12-07, 2012-Ohio-4107.

O’Neill, J., dissents.

**2012-1785. State v. Guysinger.**

Ross App. No. 11CA3251, 2012-Ohio-4169.

O’Neill, J., dissents.

**2012-1788. State v. Davidson.**

Franklin App. No. 12AP-495.

O’Neill, J., dissents.

**2012-1791. State v. Thomas.**

Lucas App. No. L-10-1337, 2012-Ohio-4192.

**2012-1792. State v. Prince.**

Auglaize App. No. 2-12-07, 2012-Ohio-4111. Discretionary appeal not accepted. Motion to correct/expand court record denied as moot.

**2012-1793. State v. Boddie.**

Franklin App. No. 10AP-687, 2011-Ohio-3309. Discretionary appeal not accepted. On motion to take judicial notice pursuant to Evid.R. 201 and to provide a complete copy of voir dire transcripts. Motion denied.

**2012-1794. State v. Freels.**

Montgomery App. No. 25356.

**2012-1799. State v. Alcalá.**

Sandusky App. No. S-11-026, 2012-Ohio-4318.  
O’Neill, J., dissents.

**2012-1802. Hutchinson v. Wayne Twp. Bd. of Zoning Appeals.**

Butler App. No. CA2012-02-032, 2012-Ohio-4103.  
Pfeifer, Kennedy, and O’Neill, JJ., dissent.

**2012-1803. Bates Recycling, Inc. v. Cygnet Fire Dept.**

Wood App. No. WD-11-060, 2012-Ohio-4185.

**2012-1804. State ex rel. Hardin v. Clermont Cty. Bd. of Elections.**

Clermont App. Nos. CA2011-05-045 and CA2011-06-047, 2012-Ohio-2569.  
Pfeifer, J., dissents.

**2012-1805. In re J.M.**

Wyandot App. No. 16-12-01, 2012-Ohio-4109.

O’Connor, C.J., dissents and would accept the appeal and remand the cause for application of *State ex rel. Jean-Baptiste v. Kirsch*, \_\_\_ Ohio St.3d \_\_\_, 2012-Ohio-5697, \_\_\_ N.E.2d \_\_\_.

O’Neill, J., dissents.

**2012-1808. State v. Williams.**

Montgomery App. No. 24548, 2012-Ohio-4179.

**2012-1809. State v. Webb.**

Delaware App. No. 11 CAC 10 0099, 2012-Ohio-4238.

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

**2012-1811. Mancz v. McHenry.**

Montgomery App. No. 24728, 2012-Ohio-3285.

**2012-1815. State v. Nagel.**

Williams App. No. WM-12-005.

**2012-1817. State v. Tapscott.**

Mahoning App. No. 11 MA 26, 2012-Ohio-4213.

**2012-1818. Inwood Village, Ltd. v. Christ Hosp.**

Hamilton App. No. C-110730, 2012-Ohio-3434.

O'Neill, J., dissents.

**2012-1819. State v. Butler.**

Cuyahoga App. No. 97649, 2012-Ohio-4152.

**2012-1820. Wohleber v. Wohleber.**

Lorain App. No. 11CA010007, 2012-Ohio-4096.

**2012-1823. State v. Gibbs.**

Hamilton App. No. C-110755.

O'Neill, J., dissents.

**2012-1824. State v. Bryant.**

Hamilton App. No. C-110581.

**2012-1837. State v. Howell.**

Mahoning App. No. 10-MA-148, 2012-Ohio-4349.

**2012-1844. State v. Campbell.**

Hamilton App. No. C-090875, 2012-Ohio-4231.

O'Neill, J., dissents.

**2012-1846. State v. Powell.**

Hamilton App. No. C-110530.

**2012-1849. State v. Jackson.**

Butler App. No. CA2011-06-096, 2012-Ohio-4219.

**2012-1850. State v. Bokeno.**

Butler App. No. CA2011-03-044, 2012-Ohio-4218.

Pfeifer, J., dissents.

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

I.

**2012-1855. State v. Dunaway.**

Butler App. No. CA2012-02-023.

**2012-1858. State v. Abraham.**

Summit App. No. 26258, 2012-Ohio-4248.

O'Neill, J., dissents.

**2012-1860. State v. Hawkins.**

Franklin App. No. 12AP-164.

**2012-1864. State v. Perry.**

Cuyahoga App. No. 97572, 2012-Ohio-4273.

**2012-1876. State v. Jones.**

Summit App. No. 25986, 2012-Ohio-4256.

**2012-1878. State v. Truitt.**

Hamilton App. No. C-120233.

**2012-1879. State v. Vencill.**

Franklin App. No. 11AP-1050, 2012-Ohio-4419.

French, J., not participating.

**2012-1894. Bidar v. Cleveland Elec. Illum. Co.**

Cuyahoga App. No. 97490, 2012-Ohio-3686.

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

Lanzinger and Kennedy, JJ., dissent.

**2012-1897. State v. Durr.**

Scioto App. No. 11CA3411, 2012-Ohio-4691.

**2012-1907. Jones v. Greyhound Lines, Inc.**

Franklin App. No. 11AP-518, 2012-Ohio-4409.

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

O'Donnell, J., dissents.

**2012-1921. State v. Simons.**

Champaign App. No. 2010 CA 7.

**2012-1927. State v. Lomax.**

Cuyahoga App. No. 98125, 2012-Ohio-4167.

**2012-1936. State v. Rogers.**

Cuyahoga App. No. 98059, 2012-Ohio-4598.

**2012-1937. State v. Braddy.**

Cuyahoga App. No. 97816, 2012-Ohio-4720.

**2012-1947. State v. Jackson.**

Cuyahoga App. No. 98939.

**2012-1953. State v. King.**

Cuyahoga App. No. 97904, 2012-Ohio-4161.

**2012-1976. State v. Nichols.**

Adams App. No. 11CA912.

**2012-1996. State v. Jackson.**

Montgomery App. No. 24430.

**2012-2034. State v. Horn.**

Delaware App. No. 08 CAA 11 0069.

**2012-2085. In re O.W.**

Stark App. No. 2010-CA-00180.