

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

August 19, 2014

[Cite as *08/19/2014 Case Announcements*, 2014-Ohio-3564.]

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## MOTION AND PROCEDURAL RULINGS

### **2010-0576. State v. Mammone.**

Stark C.P. No. 2009CR0859. This cause came for further consideration upon appellant's filing of a motion for stay of execution of death sentence pending disposition of available state remedies.

Upon consideration of appellant's motion for stay of execution of death sentence pending disposition of available state remedies, it is ordered by the court that the motion is granted. It is further ordered that this stay shall remain in effect until exhaustion of all state postconviction proceedings, including any appeals.

### **2013-2026. In re Rev. of Alternative Energy Rider Contained in Tariffs of Ohio Edison Co.**

Public Utilities Commission, No. 11-5201-EL-RDR. This cause is pending before the court as an appeal from the Public Utilities Commission of Ohio.

Upon consideration of the motion for admission pro hac vice of Bradley Klein, it is ordered by the court that the motion is granted. Pursuant to Gov.Bar R. XII(4), counsel shall file a notice of permission to appear pro hac vice with the Supreme Court's Office of Attorney Services within 30 days of the date of this entry.

### **2014-0650. State ex rel. Altman-Bates v. Pub. Emps. Retirement Bd.**

Franklin App. No. 11AP-196, 2014-Ohio-1183. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County.

Upon consideration of the motion of appellants for leave to file a brief in excess of 50 pages, it is ordered by the court that the motion is granted in part. Appellants may file a brief that is no more than 60 pages in length. It is further ordered that appellees may also file a brief that is no more than 60 pages in length.

**2014-0825. W. Res. N., L.L.C. v. Medina Cty. Bd. of Revision.**

Board of Tax Appeals, No. 2011-2902. This cause is pending before the court as an appeal from the Board of Tax Appeals.

Upon consideration of the joint motion to remand to the Board of Tax Appeals to implement a settlement agreement, it is ordered by the court that the cause is remanded to the Board of Tax Appeals to take further action as appropriate.

It is further ordered that a mandate be sent to and filed with the Board of Tax Appeals.

**2014-1361. Frazier v. Deavers.**

In Mandamus. This cause originated in this court on the filing of a complaint for a civil protection order.

Upon review of the complaint filed to initiate this action, it is ordered by the court, sua sponte, that relator shall file a new complaint within ten days of the date of this order that complies with the requirements of S.Ct.Prac.R. 3.09(A), which requires filings to be typewritten and on plain white paper. Failure to file a new complaint that complies with S.Ct.Prac.R. 3.09(A) may result in dismissal of this case.

Upon the filing of the new complaint, the clerk of this court shall serve the complaint on respondents, who shall then respond as provided for by S.Ct.Prac.R. 12.04.

It is further ordered that relator shall come to the clerk's office within ten days of the date of this order and redact from his complaint all personal identifiers as defined by Sup.R. 44(H).

**MISCELLANEOUS DISMISSALS**

**2014-0771. State ex rel. PolyOne Corp. v. Indus. Comm.**

Franklin App. No. 12AP-313, 2014-Ohio-1376. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County.

Upon consideration of appellant's application for dismissal, it is ordered by the court that the application for dismissal is granted. Accordingly, this cause is dismissed.

It is further ordered that a mandate be sent to and filed with the clerk of the Court of Appeals for Franklin County.

**2014-1260. State v. DeWitt.**

Henry App. No. 7-14-01. This cause is pending before the court as a jurisdictional appeal. The records of this court indicate that appellant has not filed a memorandum in support of jurisdiction, due August 14, 2014, in compliance with the Rules of Practice of the Supreme Court of Ohio 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.