

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

August 28, 2014

[Cite as *08/28/2014 Case Announcements*, 2014-Ohio-3708.]

MERIT DECISIONS WITH OPINIONS

2013-0291 and 2013-0493. Hauser v. Dayton Police Dept., Slip Opinion No. 2014-Ohio-3636.

Montgomery App. No. 24965, 2013-Ohio-11. Judgment reversed.

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

O'Donnell, J., concurs in judgment only.

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

2013-0459. Auer v. Paliath, Slip Opinion No. 2014-Ohio-3632.

Montgomery App. No. 25158, 2013-Ohio-391. Judgment reversed and cause remanded.

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

Pfeifer and O'Neill, JJ., dissent.

2013-0524. State ex rel. Rogers v. Pat Salmon & Sons, Inc., Slip Opinion No. 2014-Ohio-3689.

Franklin App. No. 12AP-113, 2013-Ohio-284. Judgment affirmed.

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

O'Neill, J., dissents.

2013-0579. In re D.M., Slip Opinion No. 2014-Ohio-3628.

Hamilton App. No. C-120794, 2013-Ohio-668. Judgment affirmed and cause remanded.

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

O'Donnell, J., concurs in judgment only.

2013-1138. State ex rel. Domhoff v. Ohio Pub. Emps. Retirement Sys. Bd., Slip Opinion No. 2014-Ohio-3688.

Franklin App. No. 12AP-245, 2013-Ohio-2513. Judgment affirmed.

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

2013-1151. State ex rel. O'Grady v. Griffing, Slip Opinion No. 2014-Ohio-3687.

Trumbull App. No. 2011-T-0122, 2013-Ohio-2615. Judgment reversed.

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

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 appointment of counsel.

Upon consideration of appellant's motion for appointment of counsel, it is ordered by the court that the motion is granted, and William S. Lazarow is appointed to represent appellant for the purpose of filing an application to reopen his direct appeal pursuant to S.Ct.Prac.R. 11.06.

2012-1238. Perkins Local School Dist. Bd. of Edn. v. Erie Cty. Bd. of Revision.

Board of Tax Appeals, No. 2009-K-1509. 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 Erie Board of Revision to implement a settlement agreement, it is ordered by the court that the cause is remanded to the Erie County Board of Revision to take further action as appropriate.

It is further ordered that mandates be sent to and filed with the Board of Tax Appeals and the Erie County Board of Revision.

2013-1730. Dodd v. Croskey.

Harrison App. No. 12 HA 6, 2013-Ohio-4257. Upon further review, the court sua sponte accepts the cross-appeal of Harriet Evans on Proposition of Law No. II.

It is further ordered by the court that briefing is ordered as to Proposition of Law No. II of Harriet Evans's cross-appeal as follows: Harriet Evans shall file a merit brief on Proposition of Law No. II within 20 days of the date of this entry; all other parties may file a responsive brief to Harriet Evans's brief within 20 days of the filing of her brief; and Harriet Evans may file a reply brief within ten days of the last responsive brief. No requests or stipulations for extension of time shall be filed.

2014-0593. Perkins Local School Dist. Bd. of Edn. v. Erie Cty. Bd. of Revision.

Board of Tax Appeals, Nos. 2010-2755 and 2010-2900. 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 Erie Board of Revision to implement a settlement agreement, it is ordered by the court that the cause is remanded to the Erie County Board of Revision to take further action as appropriate.

It is further ordered that mandates be sent to and filed with the Board of Tax Appeals and the Erie County Board of Revision.

2014-1477. Shoop v. State.

Hancock App. No. 5-14-09. This cause was filed as a jurisdictional appeal. Upon consideration of appellant's memorandum in support of jurisdiction, it is determined by the court that this cause originated in the court of appeals and, therefore, should proceed as an appeal of right pursuant to S.Ct.Prac.R. 5.01.

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

MISCELLANEOUS DISMISSALS

2014-1345. Bank of Am., N.A. v. Longberry.

Champaign App. No. 2014-CA-9, 2014-Ohio-2818. This cause is pending before the court as a jurisdictional appeal.

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.

MEDIATION MATTERS

The following cases have been referred to mediation pursuant to S.Ct.Prac.R. 19.01(A):

2014-1467. Legacy Property Invests. VI, Ltd. v. Cuyahoga Cty. Bd. of Revision.

Board of Tax Appeals, No. 2013-6097.

2014-1472. G6 Hospitality Property, L.L.C. v. Stark Cty. Bd. of Revision.

Board of Tax Appeals, No. 2013-6250.

2014-1473. G6 Hospitality Property, L.L.C. v. Lucas Cty. Bd. of Revision.

Board of Tax Appeals, No. 2013-4856.

The following cases have been returned to the regular docket pursuant to S.Ct.Prac.R. 19.01(E). The appellants in each case shall file a brief within 40 days of the date of these entries, and the parties shall otherwise proceed in accordance with S.Ct.Prac.R. 16.02 through 16.07. As provided in S.Ct.Prac.R. 16.07, the court may dismiss these cases or take other action if the parties fail to timely file merit briefs.

2013-1366. TCG Buckeye Westbelt 2771-2779, L.L.C. v. Franklin Cty. Bd. of Revision.

Board of Tax Appeals, No. 2011-Q-710.

2013-1367. TCG Buckeye Westbelt 2771-2779, L.L.C. v. Franklin Cty. Bd. of Revision.

Board of Tax Appeals, No. 2011-Q-711.

2013-2024. Lorain City School Dist. Bd. of Edn. v. Lorain Cty. Bd. of Revision.

Board of Tax Appeals, Nos. 2011-3034 and 2011-3035.

2014-0249. Krenhbrink v. Testa.

Board of Tax Appeals, No. 2012-2368.

2014-0681. KDC-Victory Parkway, L.L.C. v. Hamilton Cty. Bd. of Revision.

Board of Tax Appeals, Nos. 2012-5143 and 2012-5145.

2014-0876. Akron Gen. Med. Ctr. v. Testa.

Board of Tax Appeals, No. 2012-426.

2014-0957. Cannata v. Cuyahoga Cty. Bd. of Revision

Board of Tax Appeals, No. 2011-120.

2014-1122. State v. Clough v. Franklin Cty. Children's Servs.

In Mandamus. The court hereby returns this case to the regular docket under S.Ct.Prac.R. 19.01. Respondents shall file a response to the complaint within 21 days of the date of this entry.