

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

February 7, 2014

[Cite as *02/07/2014 Case Announcements, 2014-Ohio-407.*]

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## MOTION AND PROCEDURAL RULINGS

### **2013-0796. State v. Campbell.**

Franklin C.P. No. 97CR-04-2020. This cause is pending before the court as a death-penalty appeal from the Court of Common Pleas of Franklin County.

Upon consideration of the responses to the court's August 29, 2013 show-cause order, it is ordered by the court that this case is dismissed in part. Appellant may raise only claims of defects in the trial court's imposition of postrelease control.

It is further ordered that appellant's brief shall be filed 40 days from the date of this entry, appellee's brief shall be filed 30 days from the date of the filing of appellant's brief, and appellant's reply brief shall be filed 20 days from the date of the filing of appellee's brief.

O'Donnell, J., dissents and would dismiss the case in its entirety.

### **2013-1934. Akron Bar Assn. v. Shenise.**

This matter came for consideration upon the Akron Bar Association's filing of a motion to hold Phil Trexler in contempt.

It is ordered by the court that the Beacon Journal Publishing Company and Phil Trexler show cause by filing a written response with the clerk of this court on or before five days from the date of this order why they should not be found in contempt of this court. It is further ordered that the Akron Bar Association may file a response on or before two days after any response has been filed by the Beacon Journal Publishing Company and Phil Trexler.

It is further ordered, sua sponte, that all documents filed with this court in this case shall meet the filing requirements set forth in the Rules of Practice of the

Supreme Court of Ohio, including requirements as to form, number, and timeliness of filings.

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

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**Pfeifer, J., dissenting.**

{¶ 1} Even if respondent, Larry Dean Shenise, said every word attributed to him in the Akron Beacon Journal article of February 1, 2012, those statements are not evidence of any misconduct on his part. Therefore, this court issuing a show-cause order against Beacon Journal reporter Phil Trexler is a pointless act.

{¶ 2} This court now joins in the overkill in this matter, which started with Judge Paul Gallagher issuing an arrest warrant on Shenise's 80-year-old client, Leonard Little, for failing to respond to a discovery order in a civil case, continued with deputies jailing Little on the warrant when responding to a traffic accident Little was involved in, and culminated in the Akron Bar Association pursuit of discipline against Shenise for the reported statements. This whole matter has led to a tremendous waste of resources at all levels. Exerting the judiciary's authority over the press is a significant matter, and that power should be employed as sparingly as possible, and certainly never in circumstances as trivial as these.

{¶ 3} Accordingly, I dissent.

O'Donnell, J., concurs in the foregoing dissenting opinion.