

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

November 20, 2014

[Cite as *11/20/2014 Case Announcements*, 2014-Ohio-5119.]

MERIT DECISIONS WITH OPINIONS

2013-0251. State v. Morris, Slip Opinion No. 2014-Ohio-5052.

Medina App. No. 09CA0022-M, 2012-Ohio-6151. Judgment affirmed.

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

Kennedy and French, JJ., dissent.

O'Donnell, J., dissents.

2014-0509. In re Application of Grimsley, Slip Opinion No. 2014-Ohio-5033.

Board of Commissioners on Character and Fitness, No. 565. The pending application of Matthew S. Grimsley to take the Ohio bar examination is disapproved, but he may apply to take the February 2015 bar examination.

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

MOTION AND PROCEDURAL RULINGS

2014-0456. L.L. Bean, Inc. v. Levin.

Board of Tax Appeals, No. 2010-2853. This cause is pending before the court as an appeal from the Board of Tax Appeals.

Upon consideration of the joint motion to remand the appeal to the Tax Commissioner of Ohio, it is ordered by the court that the cause is remanded to the Tax Commissioner of Ohio 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 Tax Commissioner of Ohio.

2014-0836. Newark City School Dist. Bd. of Edn. v. Licking Cty. Bd. of Revision.

Board of Tax Appeals, Nos. 2011-4437 and 2011-4542. This cause is pending before the court as an appeal from the Board of Tax Appeals.

Upon consideration of the joint motion to remand the appeal 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.

2014-0869. Euclid of Cleveland, L.L.C. v. Cuyahoga Cty. Bd. of Revision.

Board of Tax Appeals, No. 2012-1964. 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.

2014-0944. DiFiore Family Properties, L.L.C. v. Cuyahoga Cty. Bd. of Revision.

Board of Tax Appeals, No. 2012-1963. This cause is pending before the court as an appeal from the Board of Tax Appeals.

Upon consideration of the joint motion to remand the appeal 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.

2014-1489. HSBC Bank, USA v. Maust.

Fairfield App. No. 13 CA 82, 2014-Ohio-3170. This cause is pending before the court as a jurisdictional appeal.

Upon consideration of the notice of bankruptcy and suggestion of stay, it is ordered by the court that this cause is stayed pending resolution of the bankruptcy case, or a lifting of the automatic stay imposed by 11 U.S.C. 362. The parties shall notify this court immediately upon conclusion of the bankruptcy proceedings, or a lifting of the automatic stay imposed by 11 U.S.C. 362.

DISCIPLINARY CASES

2013-0939. Ohio State Bar Assn. v. McCafferty.

This cause came on for further consideration upon the filing of respondent's motion to amend order, relator's cross-motion for order determining whether an expense taxed as costs in this case qualifies as a "direct expense" and for any necessary amendment to the costs taxed in the order on certified report by the Board of Commissioners on Grievances and Discipline of the Supreme Court entered on July 17, 2014, and respondent's motion to toll payments and interest.

Upon consideration thereof, this court orders that respondent's motion to amend is granted. It is hereby ordered that this court's July 17, 2014 order is amended to order that respondent be taxed the costs of these proceedings in the amount of \$3,903.64. It is further ordered that relator's cross-motion is denied as moot. It is further ordered that respondent's motion to toll payments and interest is denied.

2014-1834. In re Resignation of Reed.

On application for resignation from the practice of law of William Emerson Reed II, Attorney Registration No. 0016332, and on report filed under seal by disciplinary counsel. Resignation accepted with disciplinary action pending.

MISCELLANEOUS DISMISSALS

2014-1528. State ex rel. Ohio Democratic Party v. Mandel.

In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus.

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

2014-1687. Rouse v. Joseph.

In Mandamus and Prohibition. This cause originated in this court on the filing of a complaint for a writ of mandamus and prohibition.

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