

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

June 8, 2014

[Cite as *06/08/2015 Case Announcements*, 2015-Ohio-2185.]

MOTION AND PROCEDURAL RULINGS

In re Bozsik.

On June 4, 2008, this court found Steven A. Bozsik to be a vexatious litigator under S.Ct.Prac.R. 4.03(B). This court further ordered that Bozsik was prohibited from continuing or instituting legal proceedings in the court without obtaining leave. On May 12, 2015, Bozsik presented an “application pursuant to Supreme Court Practice Rule 4.03(B) to commence the proffered/attached action for a peremptory or alternative writ of mandamus.”

It is ordered by the court that the application is denied.

1989-1291. State v. Sneed.

Stark App. No. CA6976. This cause came on for further consideration upon appellee’s motion to set an execution date and motion to lift stay.

Upon consideration thereof, it is ordered by the court that the motions are granted.

It is further ordered that David A. Sneed’s sentence be carried into execution by the Warden of the Southern Ohio Correctional Facility, or in his absence, by the Deputy Warden on Wednesday, the 1st day of August, 2018, in accordance with the statutes so provided.

It is further ordered that a certified copy of this entry and a warrant under the seal of this court be duly certified to the Warden of the Southern Ohio Correctional Facility and that said Warden shall make due return thereof to the Clerk of the Court of Common Pleas of Stark County.

O’Neill, J., dissents for the reasons stated in his dissenting opinion in *State v. Wogenstahl*, 134 Ohio St.3d 1437, 2013-Ohio-164, 981 N.E.2d 900.

1998-0147. State v. O’Neal.

Hamilton App. No. C-960392. This cause came on for further consideration upon appellee’s motion to set an execution date.

Upon consideration thereof, it is ordered by the court that the motion is granted.

It is further ordered that James Derrick O’Neal’s sentence be carried into execution by the Warden of the Southern Ohio Correctional Facility, or in his absence, by the Deputy Warden on Wednesday, the 10th day of October, 2018, in accordance with the statutes so provided.

It is further ordered that a certified copy of this entry and a warrant under the seal of this court be duly certified to the Warden of the Southern Ohio Correctional Facility and that said Warden shall make due return thereof to the Clerk of the Court of Common Pleas of Hamilton County.

O’Neill, J., dissents for the reasons stated in his dissenting opinion in *State v. Wogenstahl*, 134 Ohio St.3d 1437, 2013-Ohio-164, 981 N.E.2d 900.

1998-1891. State v. Jones.

Hamilton App. No. C-970043. This cause came on for further consideration upon appellee’s motion to set an execution date.

Upon consideration thereof, it is ordered by the court that the motion is granted.

It is further ordered that Elwood Hubert Jones’s sentence be carried into execution by the Warden of the Southern Ohio Correctional Facility, or in his absence, by the Deputy Warden on Wednesday, the 9th day of January, 2019, in accordance with the statutes so provided.

It is further ordered that a certified copy of this entry and a warrant under the seal of this court be duly certified to the Warden of the Southern Ohio Correctional Facility and that said Warden shall make due return thereof to the Clerk of the Court of Common Pleas of Hamilton County.

O’Neill, J., dissents for the reasons stated in his dissenting opinion in *State v. Wogenstahl*, 134 Ohio St.3d 1437, 2013-Ohio-164, 981 N.E.2d 900.

2001-0013. State v. Dixon.

Lucas App. No. L-96-004. This cause came on for further consideration upon appellee’s motion to set an execution date.

Upon consideration thereof, it is ordered by the court that the motion is granted.

It is further ordered that Archie J. Dixon’s sentence be carried into execution by the Warden of the Southern Ohio Correctional Facility, or in his absence, by the

Deputy Warden on Wednesday, the 20th day of March, 2019, in accordance with the statutes so provided.

It is further ordered that a certified copy of this entry and a warrant under the seal of this court be duly certified to the Warden of the Southern Ohio Correctional Facility and that said Warden shall make due return thereof to the Clerk of the Court of Common Pleas of Lucas County.

O'Neill, J., dissents for the reasons stated in his dissenting opinion in *State v. Wogenstahl*, 134 Ohio St.3d 1437, 2013-Ohio-164, 981 N.E.2d 900.

2001-0835. State v. Hoffner.

Lucas App. No. L-95-181. This cause came on for further consideration upon appellee's motion to set an execution date.

Upon consideration thereof, it is ordered by the court that the motion is granted.

It is further ordered that Timothy J. Hoffner's sentence be carried into execution by the Warden of the Southern Ohio Correctional Facility, or in his absence, by the Deputy Warden on Wednesday, the 29th day of May, 2019, in accordance with the statutes so provided.

It is further ordered that a certified copy of this entry and a warrant under the seal of this court be duly certified to the Warden of the Southern Ohio Correctional Facility and that said Warden shall make due return thereof to the Clerk of the Court of Common Pleas of Lucas County.

O'Neill, J., dissents for the reasons stated in his dissenting opinion in *State v. Wogenstahl*, 134 Ohio St.3d 1437, 2013-Ohio-164, 981 N.E.2d 900.

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

Board of Tax Appeals, No. 2012-426. 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 a mandates be sent to and filed with the Board of Tax Appeals and the Tax Commissioner.

2015-0627. State v. Youssef.

Cuyahoga App. No. 101362, 2015-Ohio-766. This cause is pending before the court as a jurisdictional appeal.

Upon consideration of appellant's notice of withdrawal of amended notice of appeal and amended memorandum in support of jurisdiction and motion of Martin T. Galvin and Marianne Barsoum Stockett to withdraw as counsel, it is ordered by

the court that the amended notice of appeal and amended memorandum in support of jurisdiction are hereby withdrawn and the motion to withdraw as counsel is granted.

2015-0913. State v. Bryant.

Ross App. 14CA3434. This cause is pending before the court as a jurisdictional appeal.

Review of appellant's memorandum in support of jurisdiction reveals that it fails to comply with S.Ct.Prac.R. 7.02(B)(1), which requires that a memorandum "shall not exceed fifteen numbered pages, exclusive of the table of contents and the certificate of service." Therefore, it is ordered by the court, sua sponte, that pages 11 through 15 of the memorandum in support of jurisdiction are stricken as they are incorrectly numbered and are in excess of the 15-page limit imposed on content for a memorandum in support of jurisdiction.