

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

September 15, 2015

[Cite as *09/15/2015 Case Announcements*, 2015-Ohio-3728.]

MERIT DECISIONS WITH OPINIONS

2013-1770. Northeast Ohio Regional Sewer Dist. v. Bath Twp., Slip Opinion No. 2015-Ohio-3705.

Cuyahoga App. Nos. 98728 and 98729, 2013-Ohio-4186. Judgment reversed.

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

French, J., concurs in part and dissents in part.

O'Donnell and Kennedy, JJ., dissent.

2013-2050. Hope Academy Broadway Campus v. White Hat Mgt., L.L.C., Slip Opinion No. 2015-Ohio-3716.

Franklin App. No. 12AP-496, 2013-Ohio-5036. Affirmed in part and reversed in part, and cause remanded.

Lanzinger, J., concurs.

O'Connor, C.J., and Wise, J., concur in syllabus and judgment only.

Kennedy and French, JJ., concur in judgment in part and dissent in part and concur in paragraph one of the syllabus.

O'Neill, J., concurs in the syllabus but dissents from the opinion and judgment.

Pfeifer, dissents.

John W. Wise, of the Fifth Appellate District, sitting for O'Donnell, J.

2014-1586. State ex rel. Lorain Cty. Bd. of Commrs. v. Lorain Cty. Court of Common Pleas, Slip Opinion No. 2015-Ohio-3704.

In Prohibition. Writ granted.

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

Lanzinger, J., concurs in judgment only.

MOTION AND PROCEDURAL RULINGS

2015-1475. State ex rel. Goncalves v. Mahoning Cty. Bd. of Elections.

In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus involving an expedited election matter.

It is ordered by the court, sua sponte, that relators' evidence volume I and volume II are stricken because they were received after 5:00 p.m. local observed time in Columbus, Ohio, on Friday, September 11, 2015, and thus, pursuant to S.Ct.Prac.R. 3.02(A)(3)(e) and this court's September 8, 2015 order, the documents were not timely filed.

2015-1497. State ex rel. McQueen v. Weibling-Holliday.

Allen App. No. 1-15-28. 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.

It is ordered by the court that the clerk shall issue an order for the transmission of the record from the Court of Appeals for Allen County and the parties shall otherwise proceed in accordance with S.Ct.Prac.R. 16.02 through 16.07.

MISCELLANEOUS DISMISSALS

2013-0674. In re Application to Modify Exemption Granted to Columbia Gas of Ohio, Inc.

Public Utilities Commission, No. 12-2637-GA-EXM. This cause is pending before the court as an appeal from the Public Utilities Commission of Ohio.

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 Public Utilities Commission of Ohio.

2015-1305. State v. Sultaana.

Cuyahoga App. No. 101492. 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 September 8, 2015, 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.

It is further ordered that appellant's motion for stay of the court of appeals' decision is denied as moot.