

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

October 28, 2015

[Cite as *10/28/2015 Case Announcements*, 2015-Ohio-4468.]

MERIT DECISIONS WITH OPINIONS

2014-0530. Johnston v. State, Slip Opinion No. 2015-Ohio-4437.

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

2015-0292. Cleveland Metro Bar Assn. v. Belinger, Slip Opinion No. 2015-Ohio-4436.

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

MERIT DECISIONS WITHOUT OPINIONS

2015-0197. State ex rel. Pietrangelo v. Avon Lake.

In Mandamus. On answer of respondent. Upon consideration thereof, it is ordered by the court that an alternative writ is granted and the following briefing schedule is set for presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 12.05:

The parties shall file any evidence they intend to present within 20 days of the date of this entry; relator shall file a brief within 10 days of the filing of the evidence; respondents shall file a brief within 20 days after the filing of relator's brief; and relator may file a reply brief within 7 days after the filing of respondents' brief.

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

2015-0205. Palmer v. Bradshaw.

In Habeas Corpus. On petition for writ of habeas corpus of William Palmer Jr. Sua sponte, cause dismissed.

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

2015-0567. Grissom v. Ohio Adult Parole Auth.

In Habeas Corpus, Mandamus, and Prohibition. On motion to dismiss. Motion granted. Cause dismissed.

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

2015-0803. Peterson v. Bradley.

In Habeas Corpus. On petition for writ of habeas corpus of George W. Peterson. Sua sponte, cause dismissed.

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

2015-0821. Harris v. Bradshaw.

In Habeas Corpus. On petition for writ of habeas corpus of Jamal R. Harris. Sua sponte, cause dismissed.

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

2015-1039. Mosley v. Mohr.

In Habeas Corpus. On petition for writ of habeas corpus of John Mosley. Sua sponte, cause dismissed.

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

2015-1085. Whiteside v. White.

In Mandamus. On motion to dismiss. Motion granted. Cause dismissed.

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

2015-1111. McClain v. Bradley.

In Habeas Corpus. On petition for writ of habeas corpus of Reginald McClain. Sua sponte, cause dismissed.

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

2015-1118. State ex rel. Johnson v. State.

In Habeas Corpus. On petition for writ of habeas corpus of Tyrone R. Johnson. Sua sponte, cause dismissed.

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

2015-1151. State ex rel. Thomas v. Richard.

In Habeas Corpus. On petition for writ of habeas corpus of Winston Thomas. Sua sponte, cause dismissed.

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

2015-1257. Foster v. James.

In Mandamus. On complaint in mandamus of John B. Foster. On S.Ct.Prac.R. 12.04 determination, cause dismissed.

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

French, J., not participating.

2015-1276. Willingham v. Coble.

In Mandamus. On motion to dismiss. Motion granted. Cause dismissed.

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

2015-1298. Violation of Civ. Protection Order.

Miscellaneous case. On motion to dismiss of Franklin County Municipal Court. Motion granted. Cause dismissed.

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

2015-1300. Taylor v. Ohio Parole Auth.

Miscellaneous case. On answer of respondent. On S.Ct.Prac.R. 12.04 determination, cause dismissed.

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

2015-1318. State ex rel. Harris v. Moore.

In Mandamus. On answer of respondents. On S.Ct.Prac.R. 12.04 determination, cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, and Kennedy, JJ., concur.
French and O'Neill, JJ., dissent and would grant an alternative writ.

2015-1321. Messenger v. Slagle.

In Procedendo. On motion for judgment on pleadings. Cause dismissed.

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

2015-1346. State ex rel. Roberts v. Marsh.

In Prohibition. On motion to dismiss. Motion granted. On motion to strike. Motion denied as moot. Cause dismissed.

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

2015-1368. State ex rel. Soltesz v. McGookey.

In Mandamus. On motion to dismiss. Motion granted. Cause dismissed.

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

2015-1383. Thompson v. State.

In Habeas Corpus. On petition for writ of habeas corpus of Wimberly C. Thompson. Sua sponte, cause dismissed.

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

2015-1385. Miller v. Zmuda.

In Mandamus. On motion to dismiss. Motion granted. Cause dismissed.

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

MOTION AND PROCEDURAL RULINGS

2014-0064. Wallace v. Golden Comb, Inc.

Cuyahoga App. No. 99910. On motion to dismiss. Motion granted. On motion to substitute parties. Motion denied as moot.

Pfeifer and O'Donnell, JJ., dissent.

2014-0596. State ex rel. Carr v. London Corr. Inst.

Madison App. No. CA2012-10-023, 2014-Ohio-1325. On motion for contempt and sanctions. Motion denied.

Kennedy, J., dissents.

2014-0749. School Choice Ohio, Inc. v. Cincinnati Pub. School Dist.

In Mandamus. On motion for oral argument of respondent Springfield City School District. Motion granted.

2014-1756. State ex rel. Cleveland v. State Bd. of Tax Appeals.

Franklin App. No. 13AP-308, 2014-Ohio-3736. On motion to dismiss as moot. Motion granted.

2015-1225. In re Application of Ohio Power Co. for Auth. To Establish a Std. Serv. Offer Pursuant to R.C. 4928.143 in the Form of an Elec. Sec. Plan.

Public Utilities Commission, Nos. 13-2385-EL-SSO and 13-2386-EL-AAM. On motion to dismiss of Public Utilities Commission of Ohio. Motion granted.

Pfeifer, J., dissents.

2015-1335. State v. Snowden.

Trumbull App. No. 2014-T-0092, 2015-Ohio-2611. On review of order certifying a conflict. The court determines that a conflict exists. Sua sponte, cause consolidated with 2015-1247, *State v. Snowden*, and held for decision in 2014-1557, *State v. Klembus*, and briefing schedule stayed.

Pfeifer, J., dissents.

2015-1340. Jacobson v. Kaforey.

Summit App. No. 26915, 2015-Ohio-2614. On review of order certifying a conflict. The court determines that a conflict exists. The parties are to brief the issue stated in the court of appeals' entry dated August 6, 2015:

“Does the current version of R.C. 2307.60 independently authorize a civil action for damages caused by criminal acts, unless otherwise prohibited by law?”

The conflict cases are *Groves v. Groves*, 10th Dist. Franklin No. 09AP-1107, 2010-Ohio-4515, *Edwards v. Madison Twp.*, 10th Dist. Franklin No. 97APE06-819, 1997 WL 746415 (Nov. 25, 1997), *McNichols v. Rennicker*, 5th Dist. Tuscarawas No. 2002 AP 04 0026, 2002-Ohio-7215, and *Applegate v. Weadcock*, 3rd Dist. Auglaize No. 2-95-24, 1995 WL 705214 (Nov. 30, 1995).

Pfeifer and Kennedy, JJ., dissent.

French, J., not participating.

2015-1380. State v. Pottorf.

Warren App. No. CA2014-03-046, 2014-Ohio-5399. On motion for leave to file delayed appeal. Motion denied.

2015-1382. State v. Matthews.

Cuyahoga App. No. 101275, 2015-Ohio-176. On motion for leave to file delayed appeal. Motion denied.

2015-1384. State v. Gates.

Cuyahoga App. No. 101951, 2015-Ohio-1843. On motion for leave to file delayed appeal. Motion denied.

Pfeifer and Kennedy, JJ., dissent.

2015-1405. State v. O'Neal.

Warren App. No. CA2014-08-104, 2015-Ohio-1096. On motion for leave to file delayed appeal. Motion denied.

Pfeifer and Kennedy, JJ., dissent.

2015-1406. State v. Varholic.

Cuyahoga App. No. 102402, 2015-Ohio-2411. On review of order certifying a conflict. It is determined that no conflict exists. Cause dismissed.

O'Neill, J., dissents.

2015-1408. Dilley v. Dilley.

Geauga App. No. 2014-G-3227, 2015-Ohio-1872. On motion for stay of trial court and court of appeals judgments. Motion denied.

2015-1418. State v. Daviduk.

Stark App. No. 2001CA0213, 2002-Ohio-1288. On motion for leave to file delayed appeal. Motion denied.

2015-1428. State v. Oglesby.

Montgomery App. No. 26251, 2015-Ohio-2557. On motion for leave to file delayed appeal. Motion granted.

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

2015-1445. State v. Reidenbach.

Coshocton App. No. 2014CA0019, 2015-Ohio-2915. On motion for leave to file delayed appeal. Motion granted.

2015-1457. State v. Hewitt.

Stark App. No. 2014CA00078, 2015-Ohio-1786. On motion for leave to file delayed appeal. Motion granted.

O'Donnell, Lanzinger, and French, JJ., dissent.

2015-1458. State v. Jackson.

Lorain App. No. 14CA010555, 2015-Ohio-2473. On motion for leave to file delayed appeal. Motion denied.

O'Neill, J., dissents.

2015-1461. State v. Chatmon.

Cuyahoga App. No. 99508. On motion for leave to file delayed appeal. Motion denied.

Pfeifer, J., dissents.

2015-1487. State v. Rodriguez.

Greene App. No. 15-CA-14. On motion for leave to file delayed appeal. Motion denied.

Pfeifer, J., dissents.

2015-1489. State v. Brandenburg.

Butler App. Nos. CA2014-10-201 and CA2014-10-202. On review of order certifying a conflict. The court determines that a conflict exists. Sua sponte, cause consolidated with 2015-1330, *State v. Brandenburg*, and held for decision in 2014-1825, *State v. Marcum*, and briefing schedule stayed.

Pfeifer, J., dissents.

2015-1499. State v. Dumas.

Mahoning App. No. 12 MA 31, 2015-Ohio-2683. On motion for leave to file delayed appeal. Motion denied.

Pfeifer and O'Neill, JJ., dissent.

2015-1501. State v. Crank.

Stark App. No. 2014CA00175, 2015-Ohio-1909. On motion for leave to file delayed appeal. Motion denied.

Pfeifer and O'Neill, JJ., dissent.

2015-1508. State v. Good.

Putnam App. No. 12-14-05. On motion for leave to file delayed appeal. Motion denied.

2015-1511. State v. Taylor.

Delaware App. No. 14-CAA-06-0037, 2015-Ohio-2646. On motion for leave to file delayed appeal. Motion denied.

O'Neill, J., dissents.

2015-1591. In re Grand Jury Proceedings State v. Doe.

Mahoning App. No. 14 MA 73. On motion to stay the appellate court's decision pending appeal. Motion granted.

O'Donnell, J., dissents.

2015-1607. State v. Williams.

Lorain App. No. 14CA010641, 2015-Ohio-3932. On motion for immediate stay of the judgment mandate of the Ninth District Court of Appeals. Motion denied.

O'Donnell and O'Neill, JJ., dissent.

APPEALS ACCEPTED FOR REVIEW

2015-0677. State v. Aalim.

Montgomery App. No. 26249, 2015-Ohio-892.

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

2015-0724. Ratonel v. Roetzel & Andress, L.P.A.

Montgomery App. No. 26259, 2015-Ohio-1166. Discretionary appeal accepted. Motion to dismiss and motion for sanctions denied.

Pfeifer and O'Neill, JJ., dissent from the decision to accept the cause.

O'Connor, C.J., not participating.

2015-0738. In re D.M.D.

Franklin App. No. 14AP-289, 2015-Ohio-1134. Discretionary appeal accepted and cause held for decision in 2014-0607, *In re D.S.*, and briefing schedule stayed.

O'Neill and Lanzinger, JJ., dissent.

2015-1247. State v. Snowden.

Trumbull App. No. 2014-T-0092, 2015-Ohio-2611. Discretionary appeal accepted. Cause consolidated with 2015-1335, *State v. Snowden*, and held for decision in 2014-1557, *State v. Klembus*, and briefing schedule stayed.

O'Connor, C.J., and Pfeifer, J., dissent.

2015-1330. State v. Brandenburg.

Butler App. Nos. CA2014-10-201 and CA2014-10-202. Discretionary appeal accepted. Cause consolidated with 2015-1489, *State v. Brandenburg*, 12th Dist.

Butler App. Nos. CA2014-10-201 and CA2014-10-202, 2015-Ohio-2573, and held for decision in 2014-1825, *State v. Marcum*, and briefing schedule stayed.

Pfeifer, J., dissents.

APPEALS NOT ACCEPTED FOR REVIEW

2014-0525. State v. Spivey.

Mahoning App. No. 12 MA 75, 2014-Ohio-721.

2015-0647. State v. Eggleston.

Trumbull App. No. 2014-T-0068, 2015-Ohio-958.

O'Connor, C.J., dissents, and would vacate the court of appeals' decision and remand the case for application of *Rodriguez v. United States*, __ U.S. __, 135 S.Ct. 1609, 191 L.Ed.2d 492 (2015).

2015-0653. O'Loughlin v. Mercy Hosp. Fairfield.

Hamilton App. No. C-130484, 2015-Ohio-152.

Pfeifer, J., dissents. O'Neill, J., dissents and would accept the cause on Proposition of Law No. IV only.

2015-0658. Frisch v. Restaurant Mgt., Inc.

Hamilton App. No. C-140444, 2015-Ohio-859.

2015-0659. State v. Hamon.

Delaware App. No. 12 CAA 12 0089, 2015-Ohio-887.

Lanzinger, J., dissents.

2015-0660. Obloy v. Sigler.

Cuyahoga App. No. 101672, 2015-Ohio-877.

2015-0661. State v. Ganguly.

Franklin App. No. 14AP-383, 2015-Ohio-845.

2015-0671. State v. Holloway.

Cuyahoga App. No. 101289, 2015-Ohio-1015.

2015-0685. State v. Ibrahim.

Franklin App. No. 14AP-355, 2014-Ohio-5307.

O'Donnell, J., dissents.

2015-0690. Fisher v. Mallik.

Franklin App. No. 14AP-140, 2015-Ohio-1008.

O'Donnell, Kennedy, and O'Neill, JJ., dissent and would accept the appeals.

2015-0691. Dept. of Natural Resources v. Ebbing.

Mercer App. No. 10-13-24, 2015-Ohio-471.

O'Connor, C.J., dissents and would accept the cause on Proposition of Law No. II only.

Pfeifer and O'Neill, JJ., dissent.

2015-0693. Miller v. Plain Dealer Publishing Co.

Cuyahoga App. No. 101335, 2015-Ohio-1016.

2015-0694. State v. Harold.

Portage App. No. 2014-P-0012, 2015-Ohio-954.

O'Neill, J., dissents.

2015-0696. Hughes v. Lenhart.

Shelby App. No. 17-14-25, 2015-Ohio-933.

2015-0697. Daher v. Bally's Total Fitness.

Lake App. No. 2014-L-061, 2015-Ohio-953.

2015-0698. State v. Elizondo.

Fairfield App. No. 14-CA-20, 2015-Ohio-1109.

2015-0701. Secy. of Veterans Affairs v. Leonhardt.

Crawford App. No. 3-14-04, 2015-Ohio-931.

2015-0705. Szwarga v. Riverside Methodist Hosp.

Franklin App. No. 13AP-648, 2014-Ohio-4943.

O'Connor, C.J., and Kennedy, J., dissent and would accept the appeals.

2015-0706. N. Campus Rentals, L.L.C. v. Franklin Cty. Bd. of Revision.

Franklin App. No. 14AP-465, 2015-Ohio-985.

O'Neill, J., dissents.

2015-0707. Weiler v. Cuyahoga Cty. Bd. of Revision.

Cuyahoga App. No. 101822, 2015-Ohio-1383.

O'Donnell, J., dissents.

2015-0708. State v. Ponyard.

Cuyahoga App. No. 101266, 2015-Ohio-311.

O'Neill, J., dissents.

2015-0709. State v. Beauregard.

Cuyahoga App. No. 101418, 2015-Ohio-1021.

2015-0714. Reidell v. Reynolds & Reynolds Co., Inc.

Montgomery App. No. 26392, 2015-Ohio-1048.

Lanzinger and O'Neill, JJ., dissent.

2015-0730. State v. Martin.

Delaware App. No. 14 CAA 03 0016, 2015-Ohio-1106.

Pfeifer and O'Donnell, JJ., dissent.

2015-0734. State v. J.T.S.

Franklin App. No. 14AP-516, 2015-Ohio-1103.

O'Connor, C.J., dissents and would hold the cause for the decision in 2015-0677, *State v. Aalim*.

2015-0735. Turner & Son Funeral Home v. Hillsboro.

Highland App. No. 14CA16, 2015-Ohio-1138.

French, J., dissents.

2015-0740. State v. Cochran.

Franklin App. No. 14AP-447, 2015-Ohio-1102.

O'Donnell, J., dissents.

2015-0741. State v. Robinson.

Montgomery App. No. 26441, 2015-Ohio-1167.

O'Neill, J., dissents.

2015-0796. Jones v. Natural Essentials, Inc.

Portage App. No. 2015-P-0005, 2015-Ohio-1073.

2015-0804. State v. Muzic.

Summit App. No. 27117, 2015-Ohio-1521.

2015-0834. State v. Taylor.

Summit App. No. 27273, 2015-Ohio-403.

2015-0895. Corsaro & Assocs. Co., L.P.A. v. Weston Hurd, L.L.P.

Cuyahoga App. No. 101534, 2015-Ohio-423.

O'Donnell, J., dissents.

2015-1029. State v. Thompson.

Cuyahoga App. No. 100797, 2014-Ohio-2261.

2015-1062. State v. Anthony.

Cuyahoga App. No. 101847, 2015-Ohio-2267.

2015-1088. State v. Smith.

Cuyahoga App. No. 101802, 2015-Ohio-2266.

2015-1140. State v. Gilbert.

Miami App. No. 2015-CA-8, 2015-Ohio-2425.

2015-1147. Lavery v. Lavery.

Hamilton App. No. C-140130.

2015-1148. Cotton v. Sheldon.

Marion App. No. 9-14-47.

2015-1162. Burton Carol Mgt., L.L.C. v. Ziegler.

Lake App. Nos. 2015-L-021 and 2015-L-040, 2015-Ohio-1996.

French, J., not participating.

2015-1167. State v. Hively.

Gallia App. No. 13CA15, 2015-Ohio-2297.

2015-1168. State v. Vanderhoof.

Lake App. No. 2013-L-036, 2015-Ohio-2198.

O'Donnell, J., dissents and would hold the cause for the decision in 2014-1278, *State v. Earley*.

2015-1169. Neighorn v. Walsh.

Summit App. No. 27110.

2015-1174. Baxter v. Thomas.

Cuyahoga App. No. 101186, 2015-Ohio-2148.

O'Donnell, J., dissents.

2015-1186. State v. Parrish.

Brown App. No. CA2015-04-010.

2015-1188. State v. W.J.

Franklin App. No. 14AP-457, 2015-Ohio-2353.

2015-1199. State v. Johnson.

Delaware App. No. 14CAA070039, 2015-Ohio-1676.

2015-1209. State v. Cody.

Cuyahoga App. No. 102213, 2015-Ohio-2764.

2015-1216. State v. Jones.

Franklin App. No. 14AP-796, 2015-Ohio-2357.

2015-1224. State v. Varholic.

Cuyahoga App. No. 102402, 2015-Ohio-2411.

O'Neill, J., dissents.

2015-1236. State v. Kallini.

Allen App. No. 1-14-57.

2015-1245. State v. Lawshea.

Cuyahoga App. No. 101895, 2015-Ohio-2391.

2015-1246. State v. Pishok.

Seneca App. No. 13-15-04.

2015-1248. State v. Clayton.

Summit App. No. 27515.

2015-1256. State v. Whatley.

Guernsey App. No. 13CA26.

2015-1258. Henderson v. Allamby.

Cuyahoga App. No. 103060.

2015-1260. State v. Norton.

Cuyahoga App. No. 10217, 2015-Ohio-2516.

2015-1263. State v. Milner.

Erie App. No. E-14-113, 2015-Ohio-2446.

2015-1265. State v. Wellington.

Mahoning App. No. 14 MA 115, 2015-Ohio-2754.

2015-1271. State v. Caldwell.

Greene App. No. 2013-CA-76, 2015-Ohio-2551.

2015-1283. State v. Taylor.

Franklin App. No. 14AP-254, 2015-Ohio-2490.

2015-1290. State v. Brownlee.

Summit App. No. 27255, 2015-Ohio-2616. Request that a copy of the trial court's new journal entry be made part of the record denied as moot.

2015-1302. Hill v. Krauser.

Hamilton App. No. C-140446.

2015-1303. State v. Green.

Butler App. No. CA2014-12-247, 2015-Ohio-2576.

2015-1327. State v. Robinson.

Summit App. No. 27480, 2015-Ohio-2376.

2015-1328. State v. Wood.

Medina App. No. 14CA0093-M, 2015-Ohio-2891.

2015-1337. Jacobson v. Kaforey.

Summit App. No. 26915, 2015-Ohio-2624.

Lanzinger, French, and O'Neill, JJ., dissent and would accept the appeals.

2015-1352. State v. Wolf.

Lake App. Nos. 93-L-151 and 94-L-047.

2015-1374. State v. Culp.

Summit App. No. 27500, 2015-Ohio-2839.

2015-1394. State v. Pierce.

Summit App. No. 27204.

2015-1395. State v. West.

Summit App. No. 27485, 2015-Ohio-2936.

2015-1492. State v. Oteng.

Franklin App. No. 14AP-466.

RECONSIDERATION OF PRIOR DECISIONS

2013-1773. Estate of Atkinson v. Ohio Dept. of Job & Family Servs.

Knox App. No. 13CA4, 2013-Ohio-4352. Reported at __ Ohio St.3d __, 2015-Ohio-3397, __ N.E.3d __. On motion for reconsideration. Motion denied.

O'Connor, C.J., and Lanzinger and O'Neill, JJ., dissent.

2014-0735. C.K. v. State.

Cuyahoga App. No. 100193, 2014-Ohio-1243. Reported at __ Ohio St.3d __, 2015-Ohio-3421, __ N.E.3d __. On motion for reconsideration. Motion denied.

O'Neill, J., dissents.

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

Reported at __ Ohio St.3d __, 2015-Ohio-3425, __ N.E.3d __. On motion for reconsideration. Motion denied.

2015-0297. State v. Girts.

Cuyahoga App. No. 101075, 2014-Ohio-5545. Reported at 143 Ohio St.3d 1450, 2015-Ohio-3468, 36 N.E.3d 194. On motion for reconsideration. Motion fails for want of four votes.

O'Connor, C.J., dissents.

Lanzinger, J., dissents and would grant the motion and accept and hold the cause for the decision in 2015-0473, *State v. Thomas*.

Kennedy, J., dissents and would grant the motion in part and accept the cause as to Proposition of Law No. II only.

O'Neill, J., not participating.

2015-0347. Kent State Univ. v. Ford.

Portage App. No. 2013-P-0091, 2015-Ohio-41. Reported at 143 Ohio St.3d 1441, 2015-Ohio-3427, 36 N.E.3d 189. On motion for reconsideration. Motion denied.

O'Connor, C.J., and Pfeifer, J., dissent and would hold the cause for the decision in 2014-0978, *Boone Coleman Constr., Inc. v. Piketon*.

2015-0358. State v. Bates.

Hamilton App. No. C-140033, 2015-Ohio-116. Reported at 143 Ohio St.3d 1441, 2015-Ohio-3427, 36 N.E.3d 189. On motion for reconsideration. Motion denied.

2015-0375. State v. Schmidt.

Lorain App. No. 13CA010499, 2015-Ohio-146. Reported at 143 Ohio St.3d 1442, 2015-Ohio-3427, 36 N.E.3d 189. On motion for reconsideration. Motion denied.

O'Donnell and O'Neill, JJ., dissent.

2015-0406. State v. Smith.

Franklin App. Nos. 14AP-154 and 14AP-155, 2014-Ohio-5303. Reported at 143 Ohio St.3d 1442, 2015-Ohio-3427, 36 N.E.3d 189. On motion for reconsideration. Motion denied.

Kennedy and French, JJ., dissent.

2015-0913. State v. Bryant.

Ross App. No. 14CA3434. Reported at 143 Ohio St.3d 1442, 2015-Ohio-3427, 36 N.E.3d 189. On motion for reconsideration. Motion denied.