

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

5/04/2016

[Cite as *05/04/2016 Case Announcements*, 2016-Ohio-2807.]

MERIT DECISIONS WITH OPINIONS

2014-1769. Toledo City School Dist. Bd. of Edn. v. State Bd. of Edn., Slip Opinion No. 2016-Ohio-2806.

Franklin App. Nos. 14AP-93, 14AP-94, and 14AP-95, 2014-Ohio-3741. Decision reversed and cause remanded.

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

Pfeifer, J., concurs in judgment with an opinion.

O'Neill, J., dissents with an opinion that Lanzinger, J., joins.

2015-1221. State v. J.M., Slip Opinion No. 2016-Ohio-2803.

Franklin App. No. 15AP-77, 2015-Ohio-2669. Judgment reversed and cause remanded.

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

Lanzinger, J., concurs in judgment with an opinion that O'Neill, J., joins.

Pfeifer and O'Donnell, JJ., dissent and would dismiss the cause and find that no conflict exists.

2014-1836. Corrigan v. Testa, Slip Opinion No. 2016-Ohio-2805.

Board of Tax Appeals, No. 2012-3244. Decision reversed and cause remanded.

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

MERIT DECISIONS WITHOUT OPINIONS

2015-1831. State ex rel. Schroeder v. Cleveland.

In Mandamus. It is ordered by the court, sua sponte, 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; relators 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 relators' brief; and relators may file a reply brief within 7 days after the filing of respondents' brief.

It is further ordered that respondents' motion to dismiss and relators' motion for default judgment are denied.

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

2016-0070. Kessler v. Wells Fargo Bank, N.A.

In Mandamus. On respondent's motion to dismiss. Motion granted. Cause dismissed. On motion to amend complaint. Motion denied. On motions for default judgment and to amend memo opposing motion to dismiss. Motions denied as moot.

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

2016-0124. Jones v. Lerner Sampson & Rothfuss.

In Mandamus. On respondents' motions to dismiss. Motions granted. Cause dismissed. On motion to strike motion to dismiss. Motion denied.

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

2016-0136. Johnson v. Ohio Dept. of Rehab. & Corr.

Miscellaneous case. This cause originated in this court on the filing of a complaint. Upon consideration pursuant to S.Ct.Prac.R. 12.04, it is ordered by the court that this cause is dismissed. On motion for judgment. Motion denied as moot.

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

2016-0240. State ex rel. Ellis v. Burnside.

In Mandamus. On respondents' motions to dismiss. Motions granted. Cause dismissed.

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

2016-0296. State ex rel. Victor v. Stupica.

In Procedendo. This cause originated in this court on the filing of a complaint for a writ of procedendo. Upon consideration pursuant to S.Ct.Prac.R. 12.04, it is ordered by the court that this cause is dismissed.

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

2016-0305. State ex rel. Lumbus v. Jackson.

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.

2016-0319. State ex rel. Stanley v. Synenberg.

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

1995-0042. State v. Wogenstahl.

Hamilton App. No. C-930222. On motion to vacate execution date and to reopen direct appeal. Motion granted. Appellant's execution date scheduled for September 13, 2017, is hereby stayed pending further order of this court.

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

2010-0854. State v. Kirkland.

Hamilton C.P. No. B0901629. On application for reopening under S.Ct.Prac.R. 11.06. Application denied. On motion for order or relief. Motion granted. Cause remanded for new mitigation and sentencing hearing.

Pfeifer, O'Donnell, and Kennedy, JJ., dissent and would deny the motion for order or relief.

2010-1373. State v. Thompson.

Summit C.P. No. CR2008072390. On application for reopening under S.Ct.Prac.R. 11.06. Application denied.

2015-2095. Huber Hts. City Schools Bd. of Edn. v. Montgomery Cty. Bd. of Revision.

Board of Tax Appeals, Nos. 2014-4980 through 2014-4987 and 2014-4989 through 2014-5014. On motion to dismiss of Huber Heights City Schools Board of Education. Motion granted. Cause dismissed.

Pfeifer, J., dissents.

2015-2097. In re Application of 6011 Greenwich Windpark, L.L.C.

Power Siting Board, No. 13-990-EL-BGN. On motion to dismiss of the Ohio Power Siting Board and motion to dismiss of 6011 Greenwich Windpark, L.L.C. Motions granted. Cause dismissed.

2016-0163. State ex rel. Cincinnati Enquirer v. Ohio Dept. of Commerce, Div. of State Fire Marshal.

In Mandamus. On motion of respondent, State Fire Marshal, to stay discovery. Motion granted.

Lanzinger and O'Neill, JJ., dissent in part and would grant an alternative writ.

Pfeifer, J., dissents and would deny the motion.

2016-0172. Cleveland v. Oles.

Cuyahoga App. No. 102835, 2016-Ohio-23. On review of an order certifying a conflict. The court determines that a conflict exists. The parties are to brief the issue stated in the alternative at page two of the court of appeals' journal entry dated January 7, 2016, as follows:

“[I]n the course of a traffic stop, do the Fifth Amendment to the United States Constitution and Section 10, Article I of the Ohio Constitution require a law enforcement officer to provide Miranda warnings to a suspect who is removed from his vehicle and placed in the front seat of a police vehicle for questioning?”

The conflict cases are *State v. Leonard*, 1st Dist. Hamilton No. C-060595, 2007-Ohio-3312; *State v. Rice*, 1st Dist. Hamilton Nos. C-090071, C-090072, and C-090073, 2009-Ohio-6632; *State v. Kraus*, 1st Dist. Hamilton Nos. C-070428 and C-070429, 2008-Ohio-3965; *State v. Simmons*, 2d Dist. Montgomery No. 23991, 2011-Ohio-5561; *State v. Crowe*, 5th Dist. Delaware No. 07CAC030015, 2008-Ohio-330; *State v. Mullins*, 5th Dist. Licking No. 2006-CA-00019, 2006-Ohio-4674; *State v. Coleman*, 7th Dist. Mahoning No. 06 MA 41, 2007-Ohio-1573; *State*

v. Serafin, 11th Dist. Portage No. 2011-P-0036, 2012-Ohio-1456; and *State v. Brocker*, 11th Dist. Portage No. 2015-Ohio-3412.

It is ordered by the court that the clerk shall issue an order for the transmittal of the record from the Court of Appeals for Cuyahoga County.

It is ordered by the court, sua sponte, that this cause is consolidated with 2016-0282, *Cleveland v. Oles*, and that briefing in 2016-0172 and 2016-0282 shall be consolidated. The parties shall file two originals of each of the briefs under S.Ct.Prac.R. 16.02 through 16.04 and include both case numbers on the cover of the briefs. The parties shall otherwise comply with the requirements of S.Ct.Prac.R. 16.01 through 16.04.

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

2016-0328. State v. Clark.

Cuyahoga App. No. 101863, 2015-Ohio-3027. On motion for leave to file delayed appeal. Motion denied.

O'Neill, J., dissents.

2016-0337. State v. Watson.

Montgomery App. No. 26347, 2015-Ohio-4517. On motion for leave to file delayed appeal. Motion denied.

2016-0342. State v. Everson.

Mahoning App. No. 12 MA 128, 2016-Ohio-87. On motion for leave to file delayed appeal. Motion denied.

Lanzinger, Kennedy, and O'Neill, JJ., dissent.

2016-0348. State ex rel. Greenacres Found. v. Cincinnati.

Hamilton App. No. C-150038, 2015-Ohio-5479. On review of an order certifying a conflict. It is determined that no conflict exists within the meaning of S.Ct.Prac.R. 8.02. Cause dismissed.

Kennedy, J., dissents.

2016-0350. State v. Minor.

Muskingum App. No. CT2014-0027, 2014-Ohio-4660. On motion for leave to file delayed appeal. Motion denied.

O'Neill, J., dissents.

2016-0352. U.S. Bank, N.A. v. Marks.

Summit App. No. 28035. On motion for stay of lower court proceedings. Motion denied.

2016-0355. State v. Echols.

Cuyahoga App. No. 102504, 2015-Ohio-5138. On motion for leave to file delayed appeal. Motion denied.

Kennedy and O'Neill, JJ., dissent.

2016-0363. State v. Conners.

Licking App. No. 13CA0072. On motion for leave to file delayed appeal. Motion denied.

2016-0373. State v. Wilson.

Mahoning App. No. 14 MA 138, 2015-Ohio-4808. On motion for leave to file delayed appeal. Motion denied.

2016-0383. State v. Irons.

Allen App. No. 1-15-72. On motion for leave to file delayed appeal. Motion denied.

2016-0391. State v. Chandler.

Trumbull App. No. 2015-T-0033, 2016-Ohio-1017. On motion for partial stay of execution of judgment. Motion denied.

O'Neill, J., dissents.

2016-0392. State v. Bentley.

Ashtabula App. No. 2005-A-0026, 2006-Ohio-2503. On motion for leave to file delayed appeal. Motion denied.

O'Neill, J., not participating.

2016-0397. State v. Williams.

Butler App. No. CA2015-08-152. On motion for leave to file delayed appeal. Motion denied.

O'Neill, J., dissents.

2016-0399. State v. Jones.

Hamilton App. No. C-150069. On motion for leave to file delayed appeal. Motion denied.

O'Neill, J., dissents.

2016-0403. State v. Marcum.

Preble App. No. CA2015-04-011, 2016-Ohio-263. On motion for leave to file delayed appeal. Motion granted.

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

APPEALS ACCEPTED FOR REVIEW

2016-0105. State v. Anderson.

Cuyahoga App. No. 102427, 2015-Ohio-5136. Discretionary appeal accepted and cause remanded to the Cuyahoga County Court of Appeals for consideration of the matter en banc in accordance with that court's order filed March 3, 2016. The court notes that a timely motion for en banc consideration tolls the time for filing a notice of appeal from the court of appeals' entry of judgment. *See* S.Ct.Prac.R. 7.01(A)(6).

Pfeifer and Lanzinger, JJ., dissent.

2016-0282. Cleveland v. Oles.

Cuyahoga App. No. 102835, 2016-Ohio-23. It is ordered by the court, sua sponte, that this cause is consolidated with 2016-0172, *Cleveland v. Oles*, and that briefing in 2016-0172 and 2016-0282 shall be consolidated. The parties shall file two originals of each of the briefs under S.Ct.Prac.R. 16.02 through 16.04 and include both case numbers on the cover of the briefs. The parties shall otherwise comply with the requirements of S.Ct.Prac.R. 16.01 through 16.04.

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

2016-0395. In re C.C.S.

Franklin App. No. 15AP-884, 2016-Ohio-388. Discretionary appeal accepted on Proposition of Law No. III only.

Pfeifer, French, and O'Neill, JJ., would accept the cause on all propositions of law.

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

APPEALS NOT ACCEPTED FOR REVIEW

2015-1311. Bank of New York Mellon v. Martin.

Hamilton App. No. C-140314, 2015-Ohio-2531.

O'Neill, J., dissents.

2015-1754. Freedom Mtge. Corp. v. Robbins.

Hamilton App. No. C-140475. Motion for stay and renewed motion for stay denied as moot.

2015-1862. State v. Avery.

Scioto App. No. 14CA3613, 2015-Ohio-4251.

2015-1945. State v. Brooks.

Allen App. No. 1-14-51.

2015-2079. State v. Dickman.

Franklin App. No. 14AP-597, 2015-Ohio-1915.

French, J., dissents.

2016-0030. State v. Bridges.

Cuyahoga App. Nos. 102930 and 103090, 2015-Ohio-5428.

2016-0034. Duke Energy Ohio, Inc. v. Cincinnati.

Hamilton App. No. C-1400763, 2015-Ohio-4844.

2016-0046. Salida Invest. Group v. Lake Cty. Util. Dept.

Lake App. No. 2015-L-004, 2015-Ohio-5066.

Lanzinger and French, JJ., dissent.

2016-0049. State v. Moore.

Muskingum App. No. CT2015-0027, 2015-Ohio-3435.

Lanzinger and O'Neill, JJ., dissent and would accept the appeal and hold the cause for the decision in 2016-0215, *State v. Grimes*.

2016-0056. Clark v. Grant Med. Ctr.

Franklin App. No. 14AP-833, 2015-Ohio-4958.

O'Neill, J., dissents.

2016-0057. Gara v. Gara.

Montgomery App. No. 26671, 2015-Ohio-4401.

2016-0061. State v. Schlichter.

Franklin App. No. 14AP-1020, 2015-Ohio-5276.

2016-0064. State v. Tabler.

Franklin App. No. 14AP-386, 2015-Ohio-2651.

2016-0065. Stovicek v. Parma.

Cuyahoga App. No. 102699, 2015-Ohio-5147.

Pfeifer, J., dissents.

2016-0069. State v. Dalmida.

Hamilton App. No. C-1400517, 2015-Ohio-4995.

2016-0076. State v. Hicks.

Cuyahoga App. No. 102206, 2015-Ohio-4978.

O'Connor, C.J., and O'Donnell and Lanzinger, JJ., dissent and would accept the appeal and hold the cause for the decision in 2014-0942, *State v. Walker*.

2016-0081. State v. Hannah.

Franklin App. No. 15AP-212, 2015-Ohio-4964.

2016-0084. Mentor v. Sines, Inc.

Franklin App. No. 15AP-171, 2015-Ohio-5546.

O'Donnell and Kennedy, JJ., dissent.

2016-0085. State v. Jones.

Franklin App. No. 14AP-1050, 2015-Ohio-4998.

2016-0086. In re J.S.

Cuyahoga App. No. 102800, 2015-Ohio-4990.

O'Connor, C.J., dissents.

2016-0103. Mallett v. Cleveland Civ. Serv. Comm.

Cuyahoga App. No. 102559, 2015-Ohio-5140.

2016-0106. State v. Ramey.

Clark App. No. 14-CA-127, 2015-Ohio-5389.

O'Neill, J., dissents.

2016-0107. Vineyard Christian Fellowship of Columbus v. Anderson.

Franklin App. Nos. 15AP-151 and 15AP-230, 2015-Ohio-5083.

2016-0110. State v. Rohrer.

Ross App. No. 14CA3471, 2015-Ohio-5333.

2016-0111. State v. Powers.

Franklin App. Nos. 15AP-422 and 15AP-424, 2015-Ohio-5124.

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

2016-0120. Kerger & Hartman, L.L.C. v. Ajami.

Lucas App. No. L-14-1219, 2015-Ohio-5157.

O'Connor, C.J., dissents and would accept the appeal on Proposition of Law No. I.

Lanzinger and O'Neill, JJ., dissent.

2016-0122. State v. Crawley.

Cuyahoga App. No. 102781, 2015-Ohio-5150.

2016-0126. State v. Hignite.

Warren App. No. CA2015-07-063, 2015-Ohio-5204.

Kennedy and O'Neill, JJ., dissent.

2016-0131. State v. West.

Muskingum App. No. CT2015-0048.

2016-0133. Rawlins v. Cleveland Indians Baseball Co., Inc.

Cuyahoga App. No. 102574, 2015-Ohio-4587.

Kennedy, French, and O'Neill, JJ., dissent.

2016-0137. In re Dissolution of Smith Marriage.

Portage App. No. 2014-P-0056, 2015-Ohio-5522.

2016-0138. State v. Knoefel.

Lake App. No. 2014-L-088, 2015-Ohio-5207.

Pfeifer, J., dissents.

2016-0141. Stetz v. Copley Fairlawn Bd. of Edn.

Summit App. No. 27432, 2015-Ohio-4358.

2016-0142. Koeppen v. Columbus.

Franklin App. No. 15AP-56, 2015-Ohio-4463.

Pfeifer and O'Donnell, JJ., dissent.

2016-0144. Smith v. Ohio Dept. of Transp.

Franklin App. No. 15AP-521, 2015-Ohio-5240.

2016-0147. State v. Parks.

Hamilton App. No. C-140725.

2016-0149. Shields v. Tyack.

Franklin App. No. 15AP-114, 2015-Ohio-5369.

2016-0150. State v. Farmer.

Licking App. No. 15 CA 0044, 2015-Ohio-5434.

2016-0154. State v. Semenchuk.

Cuyahoga App. No. 102636, 2015-Ohio-5408.

2016-0155. Lima Area Chamber Found. v. Testa.

Allen App. No. 1-15-19, 2015-Ohio-5441.

French, J., dissents.

2016-0160. Patron v. Patron.

Stark App. No. 2015 CA 00088, 2015-Ohio-5404.

2016-0168. Walker v. Nationwide Mut. Ins. Co.

Franklin App. No. 15AP-520, 2015-Ohio-5371.

Kennedy, French, and O'Neill, JJ., dissent.

2016-0169. Federer v. Ohio Dept. of Natural Resources, Div. of Wildlife.

Franklin App. No. 15AP-104, 2015-5368.

Lanzinger and Kennedy, JJ., dissent.

2016-0170. State v. Cedeno.

Cuyahoga App. Nos. 102327 and 102328, 2015-Ohio-5412.

2016-0176. VanderLaan v. Panlik.

Hamilton App. No. C-150060, 2015-Ohio-5349.

O'Donnell, J., dissents.

2016-0182. State v. McGail.

Miami App. No. 2014-CA-27, 2015-Ohio-5384.

O'Neill, J., dissents.

2016-0184. State v. White.

Franklin App. No. 14AP-160, 2015-Ohio-5365.

2016-0185. State v. Carroll.

Franklin App. Nos. 15AP-409 and 15AP-410, 2015-Ohio-5577.

2016-0186. State v. Fussell.

Monroe App. No. 14 MO 18, 2016-Ohio-275.

2016-0187. State v. Stout.

Hardin App. No. 6-15-09.

2016-0188. McWreath v. Cortland Bank.

Trumbull App. No. 2013-T-0112, 2015-Ohio-5457.

O'Neill, J., dissents.

2016-0190. State v. Hudson.

Cuyahoga App. No. 102767, 2015-Ohio-5424.

2016-0195. State v. Mason.

Delaware App. No. 15-CAA-02-0017, 2015-Ohio-5508.

2016-0210. State v. Rice.

Hamilton App. No. C-150191, 2015-Ohio-5481.

2016-0212. State v. Crockett.

Cuyahoga App. No. 103199, 2016-Ohio-220.

2016-0217. State v. Lackey.

Montgomery App. No. 26293, 2015-Ohio-5492.

2016-0221. State v. Tolbert.

Washington App. No. 15CA5, 2015-Ohio-4733.

2016-0225. State v. Farmer.

Licking App. No. 15-CA-49, 2015-Ohio-5511.

2016-0227. State v. Beem.

Licking App. No. 15-CA-76, 2015-Ohio-5587.

2016-0228. State v. Baker.

Hamilton App. No. C-150282.

2016-0243. State v. Wagner.

Erie App. No. E-14-098, 2015-Ohio-5502.

2016-0244. State ex rel. Greenacres Found. v. Cincinnati.

Hamilton App. No. C-150038, 2015-Ohio-5479.

Kennedy, J., dissents.

2016-0245. State v. Vaughn.

Mahoning App. No. 13 MA 136, 2015-Ohio-5595.

2016-0249. State v. Wright.

Hancock App. No. 5-15-08.

2016-0255. State v. Zargoza.

Montgomery App. No. 26706, 2016-Ohio-144.

2016-0279. State v. Brown.

Scioto App. No. 14CA3629, 2016-Ohio-553.

2016-0281. State v. Godwin.

Cuyahoga App. No. 103224, 2016-Ohio-117.

2016-0284. State v. Franklin.

Wayne App. No. 14AP0055, 2016-Ohio-56.

2016-0292. State v. Marshall.

Cuyahoga App. No. 100736, 2016-Ohio-100.

2016-0298. State v. Littlepage.

Hamilton App. No. C-140574.

2016-0307. State v. Perkins.

Seneca App. Nos. 13-15-20 and 13-15-21.

2016-0318. State v. Culp.

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

2016-0320. State v. Black.

Cuyahoga App. No. 102586, 2016-Ohio-383.

2016-0326. Sentry Life Ins. Co. v. Chuchanis.
Stark App. No. 2015 CA 00063, 2016-Ohio-183.

2016-0331. In re Adoption of A.N.W.
Belmont App. No. 15 BE 0071, 2016-Ohio-463.

2016-0332. State v. Schaffer.
Cuyahoga App. No. 103960.

2016-0335. State v. Ward.
Franklin App. No. 15AP-794, 2016-Ohio-216.

RECONSIDERATION OF PRIOR DECISIONS

2014-1025. Oak View Properties v. Franklin Cty. Bd. of Revision.
Board of Tax Appeals, Nos. 2013-4286 and 2013-4368. Reported at __ Ohio St.3d __, 2016-Ohio-786, __ N.E.3d __. On amended motion for reconsideration. Motion denied.

2014-1092. Clayton v. Ohio Bd. of Nursing.
Franklin App. No. 13AP-726, 2014-Ohio-2077. Reported at __ Ohio St.3d __, 2016-Ohio-643, __ N.E.3d __. On motion for reconsideration. Motion denied.
Pfeifer, O'Donnell, and Kennedy, JJ., dissent.

2015-1660. Halasz v. Advanced Pain Mgt. Ctr., L.L.C.
Cuyahoga App. Nos. 103113 and 103117. Reported at 144 Ohio St.3d 1504, 2016-Ohio-652, 45 N.E.3d 1050. On motion for reconsideration of Advanced Pain Management Center, L.L.C., and Joanne Poje. Motion denied.
French, J., dissents.

2015-1696. State v. Gulley.
Cuyahoga App. No. 101527, 2015-Ohio-3582. Reported at 144 Ohio St.3d 1505, 2016-Ohio-652, 45 N.E.3d 1050. On motion for reconsideration. Motion denied.
Pfeifer, Lanzinger, and Kennedy, JJ., dissent.

2015-1724. State ex rel. Buchanan v. Evans.

In Mandamus. Reported at 144 Ohio St.3d 1502, 2016-Ohio-652, 45 N.E.3d 1048. On motion for reconsideration. Motion denied. On motion to strike respondent's memo opposing motion for reconsideration and sanctions. Motion denied.

2015-1822. State v. Simon.

Butler App. No. CA2015-05-0081, 2015-Ohio-4448. Reported at 144 Ohio St.3d 1507, 2016-Ohio-652, 45 N.E.3d 1051. On motion for reconsideration. Motion denied.

2015-1919. State v. Jackson.

Cuyahoga App. No. 102394, 2015-Ohio-4274. Reported at 145 Ohio St.3d 1409, 2016-Ohio-899, 46 N.E.3d 703. On motion for reconsideration. Motion denied.

O'Connor, C.J., and French and O'Neill, JJ., dissent and would grant the motion and hold the cause for decision in 2015-1427, *State v. Jones*.