

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

August 30, 2016

[Cite as *08/30/2016 Case Announcements*, 2016-Ohio-5577.]

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## MERIT DECISIONS WITH OPINIONS

**2015-0108. Carter v. Reese, Slip Opinion No. 2016-Ohio-5569.**

Butler App. No. CA2014-04-095, 2014-Ohio-5395. Judgment affirmed.

O'Donnell, Kennedy, French, and O'Neill, JJ., concur.

O'Connor, C.J., dissents, with an opinion joined by Lanzinger, J.

Pfeifer, J., dissents, with an opinion.

**2015-0473. State v. Thomas, Slip Opinion No. 2016-Ohio-5567.**

Cuyahoga App. No. 101202, 2015-Ohio-415. Judgment affirmed.

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

O'Donnell, J., dissents, with an opinion joined by Kennedy, J.

**2015-1278. State ex rel. Marmaduke v. Ohio Police & Fire Pension Fund, Slip Opinion No. 2016-Ohio-5550.**

Franklin App. No. 14AP-489, 2015-Ohio-2491. Judgment affirmed, motion to strike granted, and motions for judicial notice denied.

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

**2015-1483. State ex rel. Keith v. Gaul, Slip Opinion No. 2016-Ohio-5566.**

Cuyahoga App. No. 102875, 2015-Ohio-3480. Judgment affirmed.

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

**2015-1533. State ex rel. Steinle v. Dewey, Slip Opinion No. 2016-Ohio-5549.**

Sandusky App. No. S-15-016, 2015-Ohio-3618. Judgment affirmed.

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

## MOTION AND PROCEDURAL RULINGS

### **2004-0586. State v. Drummond.**

Mahoning C.P. No. 03CR358. 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 John E. Drummond's sentence be carried into execution by the warden of the Southern Ohio Correctional Facility or, in his absence, by the deputy warden on Thursday, the 17th day of September, 2020, 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 Mahoning County.

Pfeifer, J., dissents.

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.

### **2016-0441. State v. Mutter.**

Scioto App. No. 15CA3690, 2016-Ohio-512. This cause is pending before the court as a jurisdictional appeal.

Upon consideration of appellant's motion for appointment of counsel, it is ordered by the court that the motion is granted and the Ohio Public Defender is appointed to represent appellant.