

# The Supreme Court of Ohio

---

## CASE ANNOUNCEMENTS

December 19, 2016

[Cite as *12/19/2016 Case Announcements*, 2016-Ohio-8194.]

---

## SLIP OPINIONS REPLACED BY OHIO OFFICIAL REPORTS VERSIONS AS OF DECEMBER 19, 2016

The official versions of the opinions listed below, which were previously released as slip opinions, have been published in the December 19, 2016 Ohio Official Reports advance sheet. These opinions should now be cited using the Ohio Official Reports citation format.

**2011-2042. Disciplinary Counsel v. Ford, 147 Ohio St.3d 1220, 2016-Ohio-5914.**

**2014-0749. State ex rel. School Choice Ohio, Inc. v. Cincinnati Pub. School Dist., 147 Ohio St.3d 256, 2016-Ohio-5026.**

**2014-1173. State v. Marks, 147 Ohio St.3d 243, 2016-Ohio-4837.**

**2014-1175. State v. Jenkins, 147 Ohio St.3d 244, 2016-Ohio-4838.**

**2014-1176. State v. Harris, 147 Ohio St.3d 244, 2016-Ohio-4839.**

**2014-1177. State v. Scott, 147 Ohio St.3d 245, 2016-Ohio-4840.**

**2014-1200. State v. Collins, 147 Ohio St.3d 245, 2016-Ohio-4841.**

**2014-1201. State v. Wiley, 147 Ohio St.3d 246, 2016-Ohio-4843.**

**2014-1363. State v. Washington, 147 Ohio St.3d 247, 2016-Ohio-4845.**

**2014-1368. State v. Washington, 147 Ohio St.3d 247, 2016-Ohio-4847.**

**2014-1626. Christian Voice of Cent. Ohio v. Testa, 147 Ohio St.3d 217, 2016-Ohio-1527.**

**2014-1712. State v. Diamond, 147 Ohio St.3d 248, 2016-Ohio-4848.**

**2014-1714. State v. Diamond, 147 Ohio St.3d 248, 2016-Ohio-4849.**

**2014-1715. State v. Turner, 147 Ohio St.3d 249, 2016-Ohio-4850.**

**2014-1716. State v. Melton, 147 Ohio St.3d 250, 2016-Ohio-4851.**

**2014-1717. State v. Wimbush, 147 Ohio St.3d 250, 2016-Ohio-4852.**

**2014-1721. State v. Diamond, 147 Ohio St.3d 251, 2016-Ohio-4853.**

**2014-1725. State v. Stewart, 147 Ohio St.3d 251, 2016-Ohio-4854.**

**2014-1738. Toledo Bar Assn. v. DeMarco, 147 Ohio St.3d 1220, 2016-Ohio-5916.**

**2014-1776. State v. Wimbush, 147 Ohio St.3d 252, 2016-Ohio-4855.**

**2014-2051. Wendt v. Dickerson, 147 Ohio St.3d 284, 2016-Ohio-5822.**

**2015-1381. State ex rel. Gibson v. Sloan, 147 Ohio St.3d 240, 2016-Ohio-3422.**

**2015-1455. State v. Wheeler, 147 Ohio St.3d 253, 2016-Ohio-4860.**

**2015-1483. State ex rel. Keith v. Gaul, 147 Ohio St.3d 270, 2016-Ohio-5566.**

**2015-1634. State v. Clark, 147 Ohio St.3d 253, 2016-Ohio-4873.**

**2015-1637. State v. Sheppard, 147 Ohio St.3d 254, 2016-Ohio-4874.**

**2015-1691. State v. George, 147 Ohio St.3d 254, 2016-Ohio-4876.**

**2015-1692. State v. Johnson, 147 Ohio St.3d 255, 2016-Ohio-4877.**

**2016-0257. Trumbull Cty. Bar Assn. v. Roland, 147 Ohio St.3d 274, 2016-Ohio-5579.**

**2016-0259. Disciplinary Counsel v. Simmonds, 147 Ohio St.3d 280, 2016-Ohio-5599.**

**16-AP-037. In re Disqualification of Rastatter, 147 Ohio St.3d 1217, 2016-Ohio-7088.**

**16-AP-049. In re Disqualification of Gaul, 147 Ohio St.3d 1219, 2016-Ohio-7034.**

### **MERIT DECISIONS WITH OPINIONS**

**2016-0261. Disciplinary Counsel v. Joltin, Slip Opinion No. 2016-Ohio-8168.**

On Certified Report by the Board of Professional Conduct, No. 2015-022. Benjamin Joltin, Attorney Registration No. 0072993, is hereby suspended from the practice of law in Ohio for two years with the second year stayed on conditions.

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

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

**2016-0263. Cincinnati Bar Assn. v. Wiest, Slip Opinion No. 2016-Ohio-8166.**

On Certified Report by the Board of Professional Conduct, No. 2014-095. Christopher D. Wiest, Attorney Registration No. 0077931, is hereby suspended from the practice of law in Ohio for two years with the second year stayed on conditions.

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

**2016-0853. Columbiana Cty. Bar Assn. v. Barborak, Slip Opinion No. 2016-Ohio-8167.**

On Certified Report by the Board of Professional Conduct, No. 2015-030. Virginia Mary Barborak, Attorney Registration No. 0068601, is hereby permanently disbarred from the practice of law in Ohio.

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

## **MOTION AND PROCEDURAL RULINGS**

### **2014-0313. State v. Beasley.**

Summit C.P. No. CR2012010169(A). This cause is pending before the court as a death-penalty appeal from the Court of Common Pleas of Summit County.

Upon consideration of appellant's motion for leave to review the presentencing-investigation reports, it is ordered by the court that the motion is granted. Appellant's counsel may come to the clerk's office to review all presentencing-investigation reports, but counsel shall not make copies of the reports.

### **2016-1777. State v. K.W.**

Warren App. No. CA2016-01-004, 2016-Ohio-7365. This cause is pending before the court as a jurisdictional appeal.

Upon consideration of appellant's motion to file a copy of the entry of appointment of counsel under seal, it is ordered by the court that the motion is granted.