

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

December 27, 2016

[Cite as *12/27/2016 Case Announcements*, 2016-Ohio-8376.]

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## MERIT DECISIONS WITH OPINIONS

**2014-0552. Olentangy Local Schools Bd. of Edn. v. Delaware Cty. Bd. of Revision, Slip Opinion No. 2016-Ohio-8332.**

Board of Tax Appeals, No. 2011-A-565. Decision affirmed.

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

Pfeifer, J., dissents and would reinstate the decision of the Board of Revision.

O'Donnell, J., dissents.

**2015-0192. State v. D.B., Slip Opinion No. 2016-Ohio-8334.**

Montgomery App. No. 25859, 2014-Ohio-5368. Judgment reversed and cause remanded.

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

O'Donnell, Kennedy, and French, JJ., concur in judgment only.

**2015-0348. Argabrite v. Neer, Slip Opinion No. 2016-Ohio-8374.**

Montgomery App. No. 26220, 2015-Ohio-125. Judgment affirmed.

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

Lanzinger, J., concurs, with an opinion.

Kennedy, J., concurs in judgment only, with an opinion.

Pfeifer, J., concurs in part and dissents in part, with an opinion joined by O'Neill, J.

O'Neill, J., concurs in part and dissents in part, with an opinion.

**2015-0652. State v. Hand, Slip Opinion No. 2016-Ohio-8355.**

Montgomery App. No. 25840. Cause dismissed.

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

Kennedy, J., dissents.

**2015-0774. State v. Mohammad, Slip Opinion No. 2016-Ohio-8362.**

Franklin App. No. 14AP-662, 2015-Ohio-1234. Judgment reversed and cause remanded.

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

O'Neill, J., dissents.

**2015-1187 and 2015-1189. In re Grand Jury Proceeding of Doe, Slip Opinion No. 2016-Ohio-8356.**

Cuyahoga App. No. 102978. Judgment reversed and cause remanded.

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

O'Donnell, Kennedy, and French, JJ., concur in judgment only.

**2015-1239 and 2015-1240. In re Grand Jury Proceeding of Doe, Slip Opinion No. 2016-Ohio-8357.**

Cuyahoga App. No. 102979. Judgment reversed and cause remanded.

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

O'Donnell, Kennedy, and French, JJ., concur in judgment only.

**2015-1259. State v. Mobarak, Slip Opinion No. 2016-Ohio-8372.**

Franklin App. No. 14AP-517, 2015-Ohio-3007. Judgment reversed and cause remanded.

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

O'Neill, J., dissents.

**2015-1782. State v. Shalash, Slip Opinion No. 2016-Ohio-8358.**

Warren App. No. CA2014-12-146, 2015-Ohio-3836. Judgment affirmed.

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

O'Neill, J., dissents.

**2016-0118. State v. Jackson, Slip Opinion No. 2016-Ohio-8363.**

Summit App. No. 27133, 2015-Ohio-5246. Judgment affirmed.

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

O'Neill, J., dissents.

**2016-0179 and 2016-0201. State v. Mustafa, Slip Opinion No. 2016-Ohio-8364.**  
Franklin App. No. 15AP-465 and 15AP-466, 2015-Ohio-5370. Judgment reversed  
and cause remanded.

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

O'Neill, J., dissents.

**2016-1024. State v. Jackson, Slip Opinion No. 2016-Ohio-8373.**

Summit App. No. 27132. Cause dismissed.

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

O'Neill, J., dissents.

**2016-1168 and 2016-1297. State v. Mobarak, Slip Opinion No. 2016-Ohio-  
8368.**

Franklin App. No. 16AP-162, 2016-Ohio-4632. Judgment reversed and cause  
remanded.

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

O'Neill, J., dissents.

## MISCELLANEOUS DISMISSALS

**2016-0302. State ex rel. Bennett v. Aldi.**

Franklin App. No. 14AP-632, 2016-Ohio-83. This cause is pending before the  
court as an appeal from the Court of Appeals for Franklin County.

Upon consideration of the application for dismissal of its appeal filed by  
Aldi, Inc., Ohio, it is ordered by the court that the application for dismissal is  
granted. Aldi's notice of appeal is dismissed, and the case remains pending on the  
appeal of the Industrial Commission of Ohio.

## MEDIATION MATTERS

The following cases have been referred to mediation pursuant to  
S.Ct.Prac.R. 19.01(A).

**2016-1796. Yves v. Montgomery Cty. Bd. of Revision.**

Board of Tax Appeals, No. 2015-2323.

**2016-1797. Brutton Family Partners, L.L.C. v. Montgomery Cty. Bd. of Revision.**

Board of Tax Appeals, No. 2015-2325.

**2016-1815. ARCP LS Bedford Hts. OH, L.L.C. v. Cuyahoga Cty. Bd. of Revision.**

Board of Tax Appeals, No. 2015-2145.

**2016-1839. State ex rel. Belle Tire Distribs., Inc. v. Indus. Comm.**

Franklin App. No. 16AP-92, 2016-Ohio-7869.

**2016-1845. State ex rel. Roberts v. Indus. Comm.**

Franklin App. No. 15AP-892, 2016-Ohio-7570.

The following case has been returned to the regular docket pursuant to S.Ct.Prac.R. 19.01(E). The appellant shall file a brief within 40 days of the date of this entry, and the parties shall otherwise proceed in accordance with S.Ct.Prac.R. 16.02 through 16.07. As provided in S.Ct.Prac.R. 16.07, the court may dismiss this case or take other action if the parties fail to timely file merit briefs.

**2016-1423. Spirit Master Funding IX, L.L.C. v. Cuyahoga Cty. Bd. of Revision.**

Board of Tax Appeals, Nos. 2015-2188 and 2015-2195.