

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

July 5, 2017

[Cite as *07/05/2015 Case Announcements*, 2017-Ohio-5699.]

MERIT DECISIONS WITH OPINIONS

2016-0317. *State v. Anderson*, Slip Opinion No. 2017-Ohio-5656.

Montgomery App. No. 26525, 2016-Ohio-135. Judgment affirmed.

O'Donnell, Kennedy, Fischer, and DeWine, JJ., concur.

French, J., concurs in judgment only.

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

O'Neill, J., dissents, with an opinion.

2016-0923. *State ex rel. Love v. O'Donnell*, Slip Opinion No. 2017-Ohio-5659.

Lake App. No. 2015-L-143, 2016-Ohio-3007. Judgment affirmed.

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

MERIT DECISIONS WITHOUT OPINIONS

2016-1734. *State v. Kiser*.

Sandusky App. No. S-15-030, 2016-Ohio-7338. Discretionary appeal accepted, judgment reversed, and cause remanded for application of *State v. Gonzales*, ___ Ohio St.3d ___, 2017-Ohio-777, ___ N.E.3d ___.

Kennedy, J., dissents.

2016-1775. *Cromer v. Children's Hosp. Med. Ctr. of Akron*.

Summit App. No. 25632, 2012-Ohio-5154. Discretionary appeal accepted, judgment vacated, cause remanded on the authority of *Bryan-Wolman v. Domonko*,

115 Ohio St.3d 291, 2007-Ohio-4918, 874 N.E.2d 1198, and appellate court instructed to consider remaining issues on remand.

2017-0398. Franklin Cty. Child Support Enforcement Agency v. Greenhow.

In Prohibition. On motion to dismiss. Motion granted. Cause dismissed. Relator's motion for leave to file denied as moot.

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

2017-0503. State ex rel. Hillman v. Franklin Cty. Common Pleas Adm. Judge.

In Procedendo. On S.Ct.Prac.R. 12.04 determination, cause dismissed.

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

2017-0578. State ex. rel. Zimpfer v. Jackson Twp. Police Dept.

In Mandamus. On answer of respondents. Cause dismissed.

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

O'Neill, J., dissents.

MOTION AND PROCEDURAL RULINGS

2017-0412. In re Application of Black Fork Wind Energy, L.L.C.

Power Siting Board, No. 10-8265-EL-BGN. On motion to dismiss of Ohio Power Siting Board. Motion denied. On motion to dismiss of Black Fork Wind Energy, L.L.C. Motion denied.

2017-0581. Hashash v. Food Mart Plus, Inc.

Cuyahoga App. No. 104552, 2017-Ohio-1158. On motion to increase bond. Motion denied.

2017-0638. Struckman v. Teays Valley Local School Dist. Bd. of Edn.

Pickaway App. No. 16CA10, 2017-Ohio-1177. On motion to remand. Motion denied.

2017-0642. State v. Bennett.

Scioto App. No. 16CA3765, 2017-Ohio-574. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days of the date of this entry.

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

2017-0755. State v. Ammiyhuwd.

Butler App. No. CA2016-08-151. On emergency motion to stay. Motion denied.
O'Neill, J., dissents.

APPEALS ACCEPTED FOR REVIEW

2016-1891. State v. Martin.

Summit App. No. 27789, 2016-Ohio-7764.
O'Connor, C.J., and Kennedy and DeWine, JJ., dissent.

2017-0200. State v. Mason.

Marion App. No. 9-16-34, 2016-Ohio-8400.
O'Donnell and Kennedy, JJ., dissent.

APPEALS NOT ACCEPTED FOR REVIEW

2016-0990. State v. Cunningham.

Allen App. No. 1-15-61, 2016-Ohio-3106.
O'Neill, J., dissents.

2016-1263. State v. Waddy.

Franklin App. No. 15AP-397, 2016-Ohio-4911.
O'Neill, J., dissents.

2016-1648. Fisher v. Doe.

Hamilton App. No. C-160226, 2016-Ohio-7383.
French and O'Neill, JJ., dissent.
Fischer, J., not participating.

2016-1722. State v. James.

Hancock App. No. 5-16-14, 2016-Ohio-7262.
Fischer, J., dissents.

2016-1726. State v. Quinones.

Cuyahoga App. No. 104016, 2016-Ohio-7225.

2016-1727. State v. Salinas.

Defiance App. No. 4-15-21, 2016-Ohio-7171.
O'Connor, C.J., dissents.

2016-1728. State v. Brown.

Cuyahoga App. No. 103491, 2016-Ohio-7221.

2016-1739. Mazingo v. 2007 Gaslight Ohio, L.L.C.

Summit App. No. 27759, 2016-Ohio-4828.

2016-1740. State v. Coleman.

Lucas App. No. L-15-1056, 2016-Ohio-7335.

2016-1743. In re Application for Sealing of Records of A.J.

Franklin App. No. 15AP-974, 2016-Ohio-5495.
Kennedy, French, and DeWine, JJ., dissent.

2016-1750. State v. Anderson.

Franklin App. No. 15AP-924, 2016-Ohio-7269.

2016-1757. Lavelle v. Henderson.

Summit App. No. 27921, 2016-Ohio-5313.
Fischer, J., dissents.

2016-1761. State v. Meeks.

Stark App. No. 2016CA00050, 2016-Ohio-7517.

2016-1772. State v. Bell.

Clermont App. No. CA2015-10-077.
O'Neill, J., dissents.

2016-1777. State v. K.W.

Warren App. No. CA2016-01-004, 2016-Ohio-7365.

2016-1778. Grimmer v. Shirilla.

Cuyahoga App. No. 103921, 2016-Ohio-5423.

2016-1780. Polen v. Heaston.

Tuscarawas App. No. 2016AP020011, 2016-Ohio-7508.

2016-1781. State v. Durham.

Cuyahoga App. Nos. 103352 and 103382, 2016-Ohio-7394.

2016-1782. Williams v. Minute Men Select, Inc.

Tuscarawas App. Nos. 2016 AP 03 0016 and 2016 AP 04 0020. Appellant's motion to consolidate denied as moot.

2016-1788. State v. Romine.

Pickaway App. No. 16CA1, 2016-Ohio-5308.

2016-1790. Countrywide Home Loans Servicing, L.P. v. Davis.

Huron App. No. H-15-009, 2016-Ohio-7421.

2016-1792. Jackson v. Friedlander.

Stark App. No. 2016CA00053, 2016-Ohio-7503.
O'Neill and DeWine, JJ., dissent.

2016-1794. C.J.W.B. v. Bd. of Nursing.

Franklin App. No. 16AP-35.
French, J., not participating.

2016-1803. State v. Simpson.

Lake App. No. 2016-L-014, 2016-Ohio-7746.
O'Donnell, J., dissents and would accept the cause on proposition of law No. II.

2016-1805. State v. Statzer.

Butler App. No. CA2015-08-148, 2016-Ohio-7434.

2016-1811. State v. Campbell.

Cuyahoga App. No. 103982, 2016-Ohio-7613.

2016-1812. Mather v. Mather.

Hamilton App. Nos. C-160638, C-160639, C-160662, and C-160663.
Fischer, J., not participating.

2016-1813. State v. Brand.

Hamilton App. No. C-150590, 2016-Ohio-7456.
Fischer, J., not participating.

2016-1823. State v. James.

Muskingum App. No. CT2015-0059, 2016-Ohio-7660.

2016-1855. Cutler Real Estate Co. v. Saran.

Summit App. No. 28122, 2016-Ohio-7584.

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

2016-1856. State v. Suber.

Licking App. No. 16 CA 14, 2016-Ohio-7497.

2016-1888. State v. Graves.

Lucas App. No. L-16-1205.

2016-1895. State v. Pleatman.

Hamilton App. No. C-160234. Appellant's motion to consolidate denied.

Fischer and DeWine, JJ., not participating.

2017-0124. Isreal v. State Auto Ins. Co.

Franklin App. No. 16AP-174.

2017-0211. State v. Yuschak.

Medina App. No. 15CA0055-M, 2016-Ohio-8507. Appellant's motion to strike denied.

2017-0246. Williams v. Minute Men Select, Inc.

Tuscarawas App. Nos. 2016 AP 03 0016 and 2016 AP 04 0020. Appellees' motion to dismiss and appellant's motion to consolidate denied.

2017-0265. Moore Law Firm v. Singh.

Butler App. No. CA2016-01-016, 2017-Ohio-54.

2017-0271. State v. Thompson.

Cuyahoga App. No. 105126.

2017-0281. Hester v. Case W. Res. Univ.

Cuyahoga App. No. 104415, 2017-Ohio-103.

2017-0283. State v. King.

Muskingum App. No. CT2016-0058.

2017-0293. State v. Cremeans.

Muskingum App. No. CT2016-0018, 2017-Ohio-202.

2017-0294. State v. Brooks.

Stark App. No. 2016CA00059, 2017-Ohio-597.

2017-0296. Anderson v. Cuyahoga Metro. Hous. Auth.

Cuyahoga App. No. 103732, 2017-Ohio-86.

2017-0299. State v. Grogan.

Stark App. No. 2016CA00128, 2017-Ohio-205.

2017-0301. State v. Berecz.

Washington App. No. 16CA15, 2017-Ohio-266.

2017-0314. State v. Hull.

Lake App. No. 2016-L-035, 2017-Ohio-157.

2017-0319. State v. Pleatman.

Hamilton App. No. C-160234, 2016-Ohio-7659. Appellant's motion to consolidate denied.

Fischer and DeWine, JJ., not participating.

2017-0323. Pleatman v. Sibey Cline, Inc.

Hamilton App. Nos. C-160447 and C-160460, 2016-Ohio-7683. Appellants' motion to consolidate denied.

Fischer and DeWine, JJ., not participating.

2017-0324. State v. Gill.

Hamilton App. Nos. C-110473 and C-110483.

Fischer, J., not participating.

2017-0338. State v. Walter.

Cuyahoga App. No. 104443, 2017-Ohio-466.

2017-0339. Pietrangelo v. Avon Lake.

Lorain App. No. 15CA010804 and 15CA010873, 2016-Ohio-8201.

2017-0351. State v. Floyd.

Cuyahoga App. No. 104376, 2017-Ohio-386.

2017-0355. State v. Martin.

Hamilton App. No. C-160733.

2017-0360. State v. Matthews.

Cuyahoga App. No. 101275, 2016-Ohio-5617.

2017-0363. State v. Umstead.

Holmes App. No. 16 CA 004, 2017-Ohio-698.

2017-0370. State v. Thornton.

Muskingum App. No. CT2016-0041, 2017-Ohio-637.

2017-0372. Hillman v. O'Shaughnessy.

Franklin App. No. 16AP-571, 2017-Ohio-489.

2017-0374. State v. Bates.

Guernsey App. No. 16CA13, 2017-Ohio-585.

2017-0388. State v. Dixon.

Franklin App. No. 16AP-583, 2017-Ohio-558.

2017-0390. State v. Arios.

Cuyahoga App. No. 104821, 2017-Ohio-656.

2017-0395. State v. Cooper.

Cuyahoga App. No. 104797, 2017-Ohio-541.

2017-0400. State v. Smith.

Cuyahoga App. No. 104403, 2017-Ohio-463.

2017-0421. State v. Cornett.

Hamilton App. No. C-170035.

2017-0422. State v. Daniels.

Hamilton App. No. C-160203, 2017-Ohio-548.

Fischer, J., not participating.

2017-0424. State v. Cleary.

Stark App. No. 2017CA00016.

2017-0449. State v. Herzberger.

Lorain App. No. 16CA010899, 2017-Ohio-491.

2017-0467. State v. Dumas.

Mahoning App. No. 15 MA 0101, 2017-Ohio-731.

2017-0477. State v. Romanko.

Cuyahoga App. No. 104158, 2017-Ohio-739.

2017-0488. State v. Jackson.

Mahoning App. No. 15 MA 0126, 2017-Ohio-1296.

2017-0612. In re J.R.

Cuyahoga App. No. 105007, 2017-Ohio-1056.

O'Donnell, J., dissents.

RECONSIDERATION OF PRIOR DECISIONS

2016-1904. U.S. Bank Natl. Assn. v. Lavelle.

Cuyahoga App. No. 104234, 2016-Ohio-7783. Reported at 148 Ohio St.3d 1461, 2017-Ohio-2632, 73 N.E.3d 523. On motion for reconsideration. Motion denied.

2017-0048. Pryor v. Koukoutas.

In Habeas Corpus. Reported at 148 Ohio St.3d 1440, 2017-Ohio-1427, 72 N.E.3d 654. On motion for reconsideration. Motion denied.