

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

July 26, 2017

[Cite as *07/26/2017 Case Announcements*, 2017-Ohio-6964.]

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## MERIT DECISIONS WITH OPINIONS

**2015-1549. Dayton v. State, Slip Opinion No. 2017-Ohio-6909.**

Montgomery App. No. 26643, 2015-Ohio-3160. Judgment reversed.

O'Connor, C.J., and Baldwin and Fischer, JJ., concur.

French, J., concurs, with an opinion joined by Kennedy, J.

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

DeWine, J., dissents, with an opinion joined by O'Neill, J.

Craig R. Baldwin, J., of the Fifth District Court of Appeals, sitting for O'Donnell, J.

**2016-0741. State ex rel. Peterson v. McClelland, Slip Opinion No. 2017-Ohio-6922.**

Cuyahoga App. No. 103918, 2016-Ohio-1549. Judgment affirmed.

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

O'Donnell, J., concurs in judgment only.

**2016-0921. State ex rel. Burroughs v. Hwy. Patrol Retirement Sys. Bd., Slip Opinion No. 2017-Ohio-6923.**

Franklin App. No. 15AP-89, 2016-Ohio-2808. Judgment reversed and writ denied.

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

## MERIT DECISIONS WITHOUT OPINIONS

### **2016-0824. State ex rel. Petric v. Bracy.**

In Habeas Corpus. Sua sponte, cause dismissed. On petitioner's application for declaratory judgment. Application denied. On petitioner's motion to lift stay. Motion granted. On petitioner's motion for summary judgment. Motion denied. On petitioner's motions to withdraw and motion to reinstate. Motions denied as moot.

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

### **2017-0199. State ex rel. Prichard v. Erdos.**

In Habeas Corpus. Sua sponte, cause dismissed. On petitioner's "motion to issue habeas corpus forthwith." Motion denied as moot.

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

### **2017-0328. Carner v. Bracy.**

In Habeas Corpus. Sua sponte, cause dismissed.

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

### **2017-0545. Lentz v. Dept. of Rehab. & Corr. Bur. of Sentence Computation.**

In Mandamus. On relator's motion to stay. Motion denied. On respondent's motion to dismiss. Motion granted. Cause dismissed.

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

French, J., dissents in part and would deny the motion to dismiss and grant an alternative writ.

### **2017-0549. Rash v. Fifth Dist. Court of Appeals.**

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

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

### **2017-0605. Carman v. Pinkney.**

In Habeas Corpus. Sua sponte, cause dismissed.

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

**2017-0615. Harris v. Bracy.**

In Habeas Corpus. Sua sponte, cause dismissed.

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

**2017-0619. Harmon v. Hoffman.**

In Mandamus and Prohibition. On respondents' motion to dismiss. Motion granted. Cause dismissed. On relator's motion to strike. Motion denied as moot.

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

**2017-0625. Bell v. Hamilton Cty. Courthouse.**

In Mandamus. On respondent's motion to dismiss. Motion granted. Cause dismissed.

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

**2017-0626. State ex rel. Hillman v. Franklin Cty. Appellate Court Judges.**

In Prohibition. On relator's motion for leave to supplement complaint. Motion denied. On respondents' motion to dismiss. Motion granted. Cause dismissed. On relator's request to relieve him from electronic filing. Request denied. On respondents' motion to stay discovery. Motion denied.

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

French, J., concurs in part and dissents in part and would grant relator's motion for leave to supplement complaint.

**2017-0644. Harris v. Haas.**

In Procedendo. On respondent's motion to dismiss. Motion granted. Cause dismissed.

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

**2017-0671. State ex rel. Armstrong v. Shaughnessy.**

In Mandamus and Prohibition. On respondent's motion to dismiss. Motion granted. Cause dismissed.

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

**2017-0707. Kerr v. Turner.**

In Habeas Corpus. Sua sponte, cause dismissed.

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

Fischer, J., not participating.

**2017-0708. State v. Hill.**

Trumbull App. No. 2016-T-0099. On appellee's motion to dismiss appeal as improvidently filed. Motion granted. Cause dismissed.

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

**MOTION AND PROCEDURAL RULINGS**

**1998-1474. State v. Coley.**

Lucas C.P. No. CR971449. On appellant's motion for order or relief. Motion denied.

**2003-0647. State v. Conway.**

Franklin C.P. No. 02CR1153. On appellant's amended application for reopening pursuant to S.Ct.Prac.R. 11.06. Application denied.

French, J., not participating.

**2015-0494. Cox v. Dayton Pub. Schools Bd. of Edn.**

Montgomery App. No. 26382, 2015-Ohio-620. On appellee's motion for cause. Motion denied.

**2016-1629. Thomasson v. Thomasson.**

Cuyahoga App. No. 104579. On guardian ad litem's motion for leave to intervene. Motion denied.

Fischer, J., dissents.

**2017-0239. Sudberry v. Schweitzer.**

In Habeas Corpus. On petitioner's supplemental joinder-of-claims motion. Motion denied.

**2017-0254. Ohio Performance Academy, Inc. v. Testa.**

Board of Tax Appeals, Nos. 2015-1752 and 2015-1753. On appellants' amended motion to avoid dismissal and for reinstatement. Motion denied.

O'Neill, J., dissents.

**2017-0346. State ex rel. O'Malley v. Collier-Williams.**

In Mandamus and Prohibition. On respondent's motion to dismiss. Motion denied.

On motion for leave to intervene as respondent. Motion granted. On intervening respondent's motion to dismiss or for judgment on the pleadings. Motion denied.

An alternative writ of prohibition 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; relator shall file a brief within ten days of the filing of the evidence; respondent shall file a brief within 20 days after the filing of relator's brief; and relator may file a reply brief within seven days after the filing of respondent's brief.

DeWine, J., would grant a peremptory writ of prohibition.

**2017-0532. State ex rel. Cobb v. Adult Parole Auth.**

Franklin App. No. 16AP-199, 2017-Ohio-1170. On appellant's motion for stay of cost-collection order. Motion denied.

**2017-0664. State v. Murray.**

Highland App. No. 16CA24, 2017-Ohio-1293. On review of an order certifying a conflict. The court determines that a conflict exists. Sua sponte, cause held for decision in 2016-1652, *State v. Brown*, and briefing schedule stayed.

O'Neill and DeWine, JJ., dissent.

**2017-0674. State v. McCain.**

Montgomery App. No. 26755. On appellant's motion for leave to file delayed appeal. Motion denied.

**2017-0675. State v. Edmonds.**

Cuyahoga App. No. 104528, 2017-Ohio-745. On appellant's motion for leave to file delayed appeal. Motion denied.

O'Neill, J., dissents.

**2017-0679. State v. Merriweather.**

Butler App. No. CA2016-04-077, 2017-Ohio-421. On appellant's motion for leave to file delayed appeal. Motion denied.

O'Neill and DeWine, JJ., dissent.

**2017-0687. State v. Madison.**

Franklin App. No. 15AP-994, 2016-Ohio-7127. On appellant’s motion for leave to file delayed appeal. Motion denied.

**2017-0693. Elliott-Thomas v. Smith.**

Trumbull App. No. 2015-T-0007, 2017-Ohio-702. On review of an order certifying a conflict. The court determines that a conflict exists. The parties are ordered to brief the issue stated at page 5 of the court of appeals’ entry filed May 4, 2017: “Does the tort of intentional interference with or destruction of evidence include claims alleging interference with or concealment of evidence that disrupt a plaintiff’s underlying case? Or, is the tort of intentional interference with or destruction of evidence limited to claims that allege evidence is physically altered or destroyed?”

The conflict cases are *O’Brien v. Olmsted Falls*, 8th Dist. Cuyahoga Nos. 89966 and 90336, 2008-Ohio-2658, *Allstate Ins. Co. v. QED Consultants*, 5th Dist. Knox No. 09CA14, 2009-Ohio-4896, and *McGuire v. Draper, Hollenbaugh & Briscoe Co., L.P.A.*, 4th Dist. Highland No. 01CA21, 2002-Ohio-6170.

The clerk shall issue an order for the transmittal of the record from the court of appeals for Trumbull County.

O’Donnell and Kennedy, JJ., dissent.

**2017-0696. Portage Cty. Bd. of Dev. Disabilities v. Portage Cty. Educators’ Assn. for Dev. Disabilities.**

Portage App. No. 2016-P-0032, 2017-Ohio-888. On review of an order certifying a conflict. The court determines that a conflict exists. The parties are ordered to brief the issue stated at page 4 of the court of appeals’ entry filed May 1, 2017: “What standard of review governs appellate review of a decision by the court of common pleas confirming, modifying, vacating, or correcting an arbitration award?”

The conflict cases are *Cleveland State Univ. v. Fraternal Order of Police, Ohio Labor Council, Inc.*, 8th Dist. Cuyahoga No. 99868, 2014-Ohio-304, and *In re Hamilton v. Intl. Union of Operating Engineers, Local 20*, 12th Dist. Butler No. CA2016-03-054, 2016-Ohio-5565.

The clerk shall issue an order for the transmittal of the record from the court of appeals for Portage County.

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

**2017-0698. State v. Johnson.**

Hamilton App. No. C-160242, 2017-Ohio-1148. On appellant's motion for leave to file delayed appeal. Motion denied.

O'Neill, J., dissents.

Fischer, J., not participating.

**2017-0724. State v. Johnson.**

Stark App. No. 2016CA00069, 2016-Ohio-8261. On appellant's motion for leave to file delayed appeal. Motion denied.

Fischer and DeWine, JJ., dissent.

**2017-0742. State v. Anderson.**

Cuyahoga App. No. 104460, 2017-Ohio-931. On appellant's motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

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

**2017-0763. State v. Haddox.**

Erie App. No. E-15-017, 2016-Ohio-3368. On motion for leave to file delayed appeal. Motion denied.

DeWine, J., dissents.

**2017-0764. State v. Lee.**

Richland App. No. 15-CA-52, 2016-Ohio-1045. On motion for leave to file delayed appeal. Motion denied.

**2017-0765. State v. McCort.**

Muskingum App. No. CT2016-0019, 2017-Ohio-590. On motion for leave to file delayed appeal. Motion denied.

**2017-0766. State v. Patterson.**

Cuyahoga App. No. 104266, 2017-Ohio-1444. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

O'Connor, C.J., dissents.

**2017-0774. State v. Fetherolf.**

Union App. Nos. 14-16-10 and 14-16-11, 2017-Ohio-1316. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

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

**2017-0783. State v. Collopy.**

Coshocton App. No. 2016CA0010, 2017-Ohio-1397. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

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

**APPEALS ACCEPTED FOR REVIEW**

**2016-0696. State v. Apanovitch.**

Cuyahoga App. Nos. 102618 and 102698, 2016-Ohio-2831. Discretionary appeal accepted on proposition of law Nos. I, III, and IV.

O'Donnell, Kennedy and O'Neill, JJ., would also accept the appeal on proposition of law No. II.

O'Connor, C.J., and French and DeWine, JJ., concur in part and dissent in part and would accept the appeal on proposition of law No. IV only.

**2016-1584. Kolosai v. Azem.**

Cuyahoga App. No. 102920, 2016-Ohio-5831.

O'Connor, C.J., and O'Neill and Fischer, JJ., dissent.

**2016-1848. State v. Paige.**

Cuyahoga App. No. 104109, 2016-Ohio-7615.

O'Connor, C.J., dissents in part and would accept the appeal on proposition of law No. I only.

**2017-0039. In re Adoption of M.G.B.-E.**

Clinton App. No. CA2016-06-017, 2016-Ohio-7912. Discretionary appeal accepted on proposition of law No. I.

O'Donnell, Kennedy, and O'Neill, JJ., would also accept the appeal on proposition of law No. II.

O'Connor, C.J., French and DeWine, JJ., dissent.

**APPEALS NOT ACCEPTED FOR REVIEW**

**2016-1802. BankUnited v. Klug.**

Lorain App. No. 16CA010923, 2016-Ohio-5769.



**2016-1804. In re G.S.**

Summit App. No. 28050, 2016-Ohio-7471.

**2016-1810. State v. Smith.**

Cuyahoga App. No. 104632, 2016-Ohio-7898.

Kennedy and DeWine, JJ., dissent.

French, J., dissents and would vacate and remand the cause to the court of appeals for application of *State v. Grimes*, \_\_\_ Ohio St.3d \_\_\_, 2017-Ohio-2927, \_\_\_ N.E.3d \_\_\_.

**2016-1817. State v. Smith.**

Delaware App. No. 15CAA0077, 2016-Ohio-7566.

**2016-1825. GMS Mgt. Co., Inc. v. Civ. Rights Comm.**

Cuyahoga App. No. 103941, 2016-Ohio-7486.

O'Donnell, J., dissents.

**2016-1826. State v. Tate.**

Cuyahoga App. No. 103446, 2016-Ohio-5622.

**2016-1842. In re S.J.**

Shelby App. Nos. 17-16-16 and 17-16-17, 2016-Ohio-7540.

O'Neill, J., dissents.

**2016-1843. State v. Glenn.**

Hamilton App. No. C-150515.

O'Neill, J., dissents.

Fischer, J., not participating.

**2016-1851. State v. Sutton.**

Cuyahoga App. No. 103931, 2016-Ohio-7612.

**2016-1852. Hirsi v. Davis Creek Auto Sales.**

Franklin App. No. 15AP-415, 2016-Ohio-7569.

**2016-1859. Bank of New York Mellon v. Broyles.**

Mahoning App. No. 16 MA 0093.

**2016-1860. State v. Miller.**

Cuyahoga App. No. 103591, 2016-Ohio-7606.

**2016-1864. State v. Gannon.**

Cuyahoga App. Nos. 103909, 103910, and 103911, 2016-Ohio-7610.

**2016-1865. State v. Vinson.**

Cuyahoga App. No. 103329, 2016-Ohio-7604.

**2016-1866. Fox Consulting Group, Inc. v. Spartan Warehouse & Distrib., Inc.**

Hamilton App. No. C-160251, 2016-Ohio-7621.

Fischer and DeWine, JJ., not participating.

**2016-1867. State v. Gornall.**

Ashland App. No. 16-COA-002, 2016-Ohio-7599.

**2016-1876. Premier Therapy, L.L.C. v. Childs.**

Columbiana App. Nos. 2014 CO 0048 and 2015 CO 0028, 2016-Ohio-7934.  
Appeal and cross-appeal not accepted.

Fischer, J., dissents and would accept the appeal on proposition of law No. II.

**2016-1877. State v. Jackson.**

Lorain App. No. 15CA010828, 2016-Ohio-7637.

**2016-1878. State v. Gambs.**

Stark App. No. 2015CA00087, 2016-Ohio-7860.

**2016-1879. Alhamarshah v. Salem.**

Franklin App. No. 15AP-1087, 2016-Ohio-7668.

**2016-1880. Mattress Matters, Inc. v. Trunzo.**

Cuyahoga App. No. 104249, 2016-Ohio-7723.

**2016-1883. Chase Home Fin., L.L.C. v. Gau.**

Ashtabula App. No. 2015-A-0048, 2016-Ohio-7646.

**2016-1884. Jones v. Williams.**

Hamilton App. No. C-160534.

Fischer and DeWine, JJ., not participating.

**2016-1889. In re S.B.**

Richland App. No. 16CA27, 2016-Ohio-7732.

O'Donnell, J., dissents.

**2016-1896. State v. Vanausdal.**

Shelby App. No. 17-16-06, 2016-Ohio-7735.

**2016-1900. State v. Gillispie.**

Montgomery App. No. 26965, 2016-Ohio-7688.

**2016-1901. State v. Howell.**

Delaware App. No. 15 CAA 12 0098, 2016-Ohio-7749.

**2016-1902. State v. Ramos.**

Cuyahoga App. No. 103596, 2016-Ohio-7685.

O'Neill, J., dissents.

DeWine, J., dissents and would accept the cause on proposition of law No. II.

**2016-1909. State v. New.**

Lorain App. No. 15CA010754, 2016-Ohio-7730.

O'Neill, J., dissents.

**2017-0015. In re J.S.**

Butler App. Nos. CA2016-07-0141 and CA2016-07-0142.

**2017-0016. State v. Stanford.**

Hamilton App. No. C-160198.

Fischer and DeWine, JJ., not participating.

**2017-0027. State v. Hall.**

Hamilton App. Nos. C-160204, C-160205, C-160211, and C-160212.

Fischer, J., not participating.

**2017-0054. State v. Taylor.**

Summit App. No. 28091, 2016-Ohio-7953.

**2017-0396. State v. McCreery.**

Lawrence App. No. 16CA17, 2017-Ohio-988.

**2017-0405. State v. Cook.**

Hamilton App. No. C-150467.

**2017-0416. State v. Short.**

Richland App. No. 2016CA0058.

**2017-0418. State v. Cassell.**

Highland App. No. 16CA0015.

**2017-0426. State ex rel. Reeves v. Sloan.**

Ashtabula App. No. 2016-A-0038, 2017-Ohio-619.

**2017-0429. State v. Vaughan.**

Delaware App. No. 16 CAA 0026, 2017-Ohio-583.

**2017-0440. State v. Asadi-Ousley.**

Cuyahoga App. Nos. 104714 and 105103, 2017-Ohio-937.

**2017-0451. State v. Berry.**

Gallia App. No. 16CA13.

**2017-0465. State v. Black.**

Cuyahoga App. No. 104830, 2017-Ohio-977.

**2017-0476. State v. Banks.**

Seneca App. No. 13-16-24.

**2017-0478. State v. Massey.**

Lake App. No. 2016-L-030, 2017-Ohio-706.

**2017-0479. JPMorgan Chase Bank, N.A. v. Liggins.**

Franklin App. No. 15AP-242, 2016-Ohio-3528.

French, J., not participating.

**2017-0480. Shaker Hts. v. El-Bey.**

Cuyahoga App. No. 104236, 2017-Ohio-929.

**2017-0482. State v. Clark.**

Mahoning App. No. 16 MA 0121, 2017-Ohio-899.

**2017-0495. State v. Moncrief.**

Franklin App. No. 16AP-437, 2017-Ohio-722.

French, J., not participating.

**2017-0496. State v. Johnson.**

Delaware App. No. 16 CAA 10 0046, 2017-Ohio-111.

**2017-0497. State v. Johnson.**

Delaware App. No. 16CAA080037, 2016-Ohio-8614.

**2017-0499. State v. Johnson.**

Delaware App. No. 16 CAA 100045, 2017-Ohio-111.

**2017-0504. State v. Robinson.**

Cuyahoga App. No. 105487

**2017-0507. Barton v. Barton.**

Greene App. No. 2016-CA-12, 2017-Ohio-980.

**2017-0508. State v. Accorinti.**

Butler App. No. CA2017-01-001.

Fischer, J., dissents and would accept the cause on proposition of law No. I.

**2017-0509. State v. Small.**

Lucas App. No. L-16-1198.

**2017-0511. State v. Williams.**

Mahoning App. No. 16 MA 0041, 2017-Ohio-856.

**2017-0518. Hollis v. Hughley.**

Stark App. No. 2016CA000225. Appellee's motion to dismiss and appellant's motion to strike denied as moot.

**2017-0519. State v. Spring.**

Jefferson App. No. 15 JE 0019, 2017-Ohio-768.

**2017-0530. State v. Walls.**

Hamilton App. No. C-160499.

Fischer, J., not participating.

**2017-0531. State v. White.**

Franklin App. No. 15AP-815, 2017-Ohio-810.

**2017-0535. State v. Watkins.**

Franklin App. No. 16AP-581, 2017-Ohio-1141.

**2017-0547. State v. Leavell.**

Erie App. No. E-16-017, 2017-Ohio-991.

**2017-0565. State v. Johnson.**

Lake App. No. 2016-L-064, 2017-Ohio-884.

**2017-0566. State v. Spencer.**

Franklin App. No. 16AP-444, 2017-Ohio-1140.

**2017-0570. State v. Johnson.**

Hamilton App. No. C-150654.

Fischer, J., not participating.

**2017-0575. State v. Primeau.**

Cuyahoga App. No. 104657, 2017-Ohio-1162.

**2017-0602. Sheppard v. Bd. of Regents.**

Franklin App. No. 16AP-454.

**2017-0622. State v. Hodges.**

Medina App. No. 15CA0056-M.

**2017-0639. State v. Moore.**

Licking App. No. 16-CA-26.

**2017-0650. State v. Landers.**

Greene App. No. 2015-CA-74, 2017-Ohio-1194.

**2017-0657. State v. Murray.**

Highland App. No. 16CA24, 2017-Ohio-1293.

**2017-0699. State v. Cody.**

Cuyahoga App. No. 100797, 2017-Ohio-1543.

**2017-0714. State v. Guyton.**

Ashtabula App. No. 2016-A-0023.

**2017-0795. State v. Suber.**

Licking App. No. 2016-CA-00014.

**RECONSIDERATION OF PRIOR DECISIONS**

**2014-0989. State v. Roberts.**

Trumbull App. No. 2001CR00793. Reported at \_\_ Ohio St.3d \_\_, 2017-Ohio-2998, \_\_ N.E.3d \_\_. On appellant's motion for reconsideration. Motion denied.

**2015-1993. Clendenin v. Girl Scouts of W. Ohio.**

Hamilton App. No. C-140658, 2015-Ohio-4506. Reported at \_\_ Ohio St.3d \_\_, 2017-Ohio-2830, \_\_ N.E.3d \_\_. On appellee's motion for reconsideration. Motion denied.

Sean C. Gallagher, J., of the Eighth District Court of Appeals, sitting for Fischer, J.

Patricia A. Delaney, J., of the Fifth District Court of Appeals, sitting for DeWine, J.

**2016-1243. In re Application of Coll.**

On Report by the Board of Commissioners on Character and Fitness, No. 643. Reported at \_\_ Ohio St.3d \_\_, 2017-Ohio-4023, \_\_ N.E.3d \_\_. On applicant's motion for reconsideration. Motion denied.

**2016-1474. State v. McNeill.**

Lorain App. No. 15CA010774, 2016-Ohio-5463. Reported at 149 Ohio St.3d 1406, 2017-Ohio-2822, 74 N.E.3d 464. On appellant's motion for reconsideration. Motion denied.

**2016-1612. Stepp v. Medina City School Dist. Bd. of Edn.**

Medina App. Nos. 15CA0071-M and 15CA0073-M, 2016-Ohio-5875. Reported at 149 Ohio St.3d 1419, 2017-Ohio-4038, 75 N.E.3d 236. On appellees' motions for reconsideration. Motions denied.

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

**2016-1784. State v. Garner.**

Lake App. No. 2016-L-041, 2016-Ohio-5785. Reported at 149 Ohio St.3d 1407, 2017-Ohio-2822, 74 N.E.3d 465. On appellant's motion for reconsideration. Motion denied.

**2016-1806. Stepp v. Medina City School Dist. Bd. of Edn.**

Medina App. Nos. 15CA0071-M and 15CA0073-M, 2016-Ohio-5875. Reported at 149 Ohio St.3d 1420, 2017-Ohio-4038, 75 N.E.3d 237. On appellants' motion for reconsideration. Motion denied.

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

**2016-1819. State ex rel. Thomas v. Sheldon.**

Allen App. No. 1-16-26, 2016-Ohio-7642. Reported at 149 Ohio St.3d 1408, 2017-Ohio-2822, 74 N.E.3d 465. On appellant's motion for reconsideration. Motion denied.

Fischer, J., not participating.

**2017-0005. Angus v. Angus.**

Franklin App. Nos. 15AP-655 and 15AP-693, 2016-Ohio-7789. Reported at 149 Ohio St.3d 1408, 2017-Ohio-2822, 74 N.E.3d 465. On appellant's motion for reconsideration. Motion denied.

**2017-0111. State v. Walker.**

Richland App. No. 09CA88, 2016-Ohio-8615. Reported at 149 Ohio St.3d 1420, 2017-Ohio-4038, 74 N.E.3d 237. On appellant's motion for reconsideration. Motion denied.

**2017-0146. State v. Runyon.**

Butler App. No. CA2016-06-120, 2016-Ohio-8230. Reported at 149 Ohio St.3d 1409, 2017-Ohio-2822, 74 N.E.3d 466. On appellant's motion for reconsideration. Motion denied.