

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

May 23, 2018

[Cite as *05/23/2018 Case Announcements*, 2018-Ohio-1989.]

MERIT DECISIONS WITH OPINIONS

2017-1122. *State v. Gordon*, Slip Opinion No. 2018-Ohio-1975.

Summit App. No. 28191, 2017-Ohio-5796. Judgment affirmed.

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

MERIT DECISIONS WITHOUT OPINIONS

2018-0319. *State ex rel. Moore v. Reinbold*.

In Mandamus. On S.Ct.Prac.R. 12.04 determination. Cause dismissed.

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

Kennedy and Fischer, JJ., dissent.

2018-0323. *Bollett v. Adult Parole Auth.*

In Prohibition. On S.Ct.Prac.R. 12.04 determination. Cause dismissed.

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

2018-0345. *State ex rel. Washington v. Myers*.

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

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

Fischer, J., not participating.

2018-0346. State ex rel. Heru v. Vavra.

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

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

2018-0368. Dixon v. Dankof.

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

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

2018-0370. Dixon v. Dankof.

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

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

2018-0488. Hill v. Ferrero.

In Habeas Corpus. Sua sponte, cause dismissed.

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

MOTION AND PROCEDURAL RULINGS

2018-0172. State ex rel. Bristow v. Baxter.

In Mandamus. On amended motion to designate relator a vexatious litigator pursuant to S.Ct.Prac.R. 4.03. Motion denied.

O'Donnell, Fischer, and DeGenaro, JJ., dissent.

2018-0324. Technical Constr. Specialties, Inc. v. DeWeese.

Richland App. No. 17 CA 69, 2018-Ohio-213. On motion to stay. Motion denied.

2018-0448. State v. Speelman.

Lucas App. No. L-16-1295, 2017-Ohio-9306. 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 DeGenaro, JJ., dissent.

2018-0456. State v. Jeffries.

Cuyahoga App. No. 105379, 2018-Ohio-162. On review of an order certifying a conflict. It is determined that no conflict exists. Cause dismissed.

Kennedy and French, JJ., dissent.

DeGenaro, J., not participating.

2018-0459. State v. Clarke.

Cuyahoga App. No. 105047, 2017-Ohio-8226. On motion for leave to file delayed appeal. Motion denied.

2018-0465. State v. Gilbert.

Summit App. No. 28874. On motion for leave to file delayed appeal. Motion denied.

2018-0470. State v. Buckley.

Stark App. No. 2017CA00084, 2017-Ohio-9358. On motion for leave to file delayed appeal. Motion denied.

2018-0481. State v. Brown.

Ashtabula App. No. 2016-A-0021, 2017-Ohio-9259. On motion for leave to file delayed appeal. Motion denied.

2018-0519. Tate v. Tate.

Holmes App. No. 17CA004, 2018-Ohio-1244. On motion for stay of court of appeals' judgment. Motion denied.

Kennedy, J., dissents.

APPEALS ACCEPTED FOR REVIEW

2018-0338. State v. Jeffries.

Cuyahoga App. No. 105379, 2018-Ohio-162. Cause accepted on proposition of law No. I.

O'Connor, C.J., would also accept the cause on proposition of law No. II.

Fischer, J., would accept the cause on all propositions of law.

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

Lisa L. Sadler, J., of the Tenth District Court of Appeals, sitting for DeGenaro, J.

APPEALS NOT ACCEPTED FOR REVIEW

2018-0091. Wray v. Speedway, L.L.C.

Erie App. No. E-16-035, 2017-Ohio-7998.

Kennedy, French, and Fischer, JJ., dissent.

2018-0373. State v. Ayers.

Cuyahoga App. No. 105225, 2018-Ohio-382.

French and DeGenaro, JJ., not participating.

RECONSIDERATION OF PRIOR DECISIONS

2014-1377. State v. Noling.

Portage App. No. 1995 CR 00220. Reported at __ Ohio St.3d __, 2018-Ohio-795, __ N.E.3d __. On motion for reconsideration. Motion denied.

William A. Klatt, J., of the Tenth District Court of Appeals, sitting for DeGenaro, J.

2017-1548. Wayt v. DHSC, L.L.C.

Stark App. No. 2016CA00215, 2017-Ohio-7734. Reported at 152 Ohio St.3d 1420, 2018-Ohio-923, 93 N.E.3d 1002. On motion for partial reconsideration. Motion denied.

O'Donnell and Kennedy, JJ., dissent.

2017-1611. Fid. Tax, L.L.C. v. Hall.

Franklin App. No. 16AP-720. Reported at 152 Ohio St.3d 1424, 2018-Ohio-923, 93 N.E.3d 1005. On request to take judicial notice. Request denied. On motion for reconsideration. Motion denied.

French, J., not participating.

PETITIONS TO TRANSFER

2018-0339. Midview Local Schools Bd. of Edn. v. Lorain Cty. Bd. of Revision.

Lorain App. No. 18CA011265 and Board of Tax Appeals, Nos. 2016-1713, 2016-1715, and 2016-2441. On petition to transfer jurisdiction. Petition denied.

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