

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *Barclay Petroleum, Inc. v. Bailey*, Slip Opinion No. 2018-Ohio-5136.]

NOTICE

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SLIP OPINION NO. 2018-OHIO-5136

**BARCLAY PETROLEUM, INC., APPELLANT, v. BAILEY, TRUSTEE, ET AL.,
APPELLEES.**

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may be cited as *Barclay Petroleum, Inc. v. Bailey*, Slip Opinion No.
2018-Ohio-5136.]**

Appeal dismissed as having been improvidently accepted.

(No. 2017-1387—Submitted July 17, 2018—Decided December 21, 2018.)

APPEAL from the Court of Appeals for Hocking County, No. 16CA14,
2017-Ohio-7547.

{¶ 1} The cause is dismissed, sua sponte, as having been improvidently accepted.

O'DONNELL, KENNEDY, FISCHER, and DEGENARO, JJ., concur.

O'CONNOR, C.J., and FRENCH and DEWINE, JJ., dissent.

SUPREME COURT OF OHIO

Organ Cole, L.L.P., Douglas R. Cole, Shawn J. Organ, and Joshua M. Feasel, for appellant.

Tzangas Plakas Mannos, Ltd., and Joshua E. O'Farrell, for appellees.

Vorys, Sater, Seymour & Pease, L.L.P., Gregory D. Russell, Thomas H. Fusonie, Daniel D. Shuey, and Ilya Batikov, urging reversal for amici curiae Ohio Oil and Gas Association and Southeastern Ohio Oil and Gas Association.
