

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

May 8, 2019

[Cite as *05/08/2019 Case Announcements*, 2019-Ohio-1707.]

MERIT DECISIONS WITH OPINIONS

2018-0996. State ex rel. O'Malley v. Russo, Slip Opinion No. 2019-Ohio-1698.

In Prohibition and Procedendo. Writs denied. Respondent's motion for judgment on the pleadings granted.

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

Kennedy, J., concurs in judgment only.

Donnelly, J., not participating.

2018-1198. State ex rel. Zander v. Judge of Summit Cty. Common Pleas Court, Slip Opinion No. 2019-Ohio-1704.

Summit App. No. 29035. Judgment affirmed.

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

MERIT DECISIONS WITHOUT OPINIONS

2018-1801. State ex rel. Roth v. Eighth Dist. Court of Appeals.

In Mandamus and Prohibition. On respondents' motions to dismiss. Motions granted. Relators' renewed and restated motion for expedited alternative writ and emergency stay of proceedings in common pleas court denied as moot. Cause dismissed.

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

Stewart, J., not participating.

2018-1806. Binford v. McGann.

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

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

2019-0053. Ali v. Franklin Cty. Mun. Court.

Miscellaneous case. On answer of respondent City of Columbus and pursuant to S.Ct.Prac.R. 12.04. Cause dismissed.

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

2019-0129. Butts v. Cuyahoga Cty.

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

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

Stewart, J., not participating.

2019-0191. State ex rel. Morris v. O'Brian.

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

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

2019-0192. State ex rel. Branco v. Haas.

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

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

French and Donnelly, JJ., dissent.

2019-0204. Patterson v. Eleventh Dist. Court of Appeals.

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

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

2019-0210. State ex rel. Evans v. Seventh Dist. Court of Appeals Judges.

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

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

2019-0230. Anderson v. Celebreeze.

In Procedendo. On respondent's motion to dismiss. Motion granted. Relator's motion to convert to complaint for writ of prohibition denied. Cause dismissed.

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

Stewart, J., not participating.

2019-0248. State ex rel. Freeman v. Eighth Dist. Court of Appeals Judges.

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

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

Stewart, J., not participating.

2019-0250. State ex rel. Smith v. Durkin.

In Mandamus and Prohibition. On respondent's motion to dismiss amended complaint. Motion granted. Relators' amended emergency motion for expedited alternative writ, urgent updated motion for emergency expedited alternative writ, and request for judicial notice denied. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, and Stewart, JJ., concur.

French, J., concurs in part and dissents in part and would grant relators' request for judicial notice.

2019-0264. State ex rel. Robinson v. Ludle.

In Mandamus. On respondent's motion for judgment on the pleadings. Motion granted. Cause dismissed.

Kennedy, French, Fischer, DeWine, Donnelly, and Stewart, JJ., concur.

O'Connor, C.J., not participating.

2019-0265. State ex rel. Robinson v. Summit Cty. Court Reporters' Office.

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

Kennedy, French, Fischer, DeWine, Donnelly, and Stewart, JJ., concur.

O'Connor, C.J., not participating.

2019-0288. Chambers v. Cuyahoga Cty. Court of Common Pleas.

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

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

2019-0370. Barnes v. DeWine.

In Habeas Corpus. Sua sponte, cause dismissed.

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

2019-0397. Melton v. Swift.

In Prohibition. On respondent's motion to dismiss. Motion granted. Relator's emergency motion for stay and expedited alternative writ denied as moot. Cause dismissed.

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

2019-0462. State ex rel. Davis v. Sloan.

In Habeas Corpus. Sua sponte, cause dismissed.

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

MOTION AND PROCEDURAL RULINGS

2017-1583. State ex rel. Harris v. Pureval.

Hamilton App. No. C-170226. On appellant's "motion for show cause order/judicial notice," second motion for show-cause order, and "second motion for request of judicial notice." Motions denied. Appellant's motion to supplement the record granted.

2018-0712. In re Application of Duke Energy Ohio, Inc.

Public Utilities Commission, Nos. 14-841-EL-SSO and 14-842-EL-ATA. On responses to the March 13, 2019 show-cause order. Cause dismissed as moot.

French, J., dissents.

2018-0973. In re Application of Duke Energy Ohio, Inc.

Public Utilities Commission, Nos. 14-841-EL-SSO and 14-842-EL-ATA. On responses to the March 13, 2019 show-cause order. Cause dismissed as moot.

French, J., dissents.

2018-1639. State v. Campbell.

Franklin App. No. 17AP-713, 2018-Ohio-3181. On appellant's motion to supplement delayed appeal. Motion denied.

Donnelly, J., dissents.

2019-0166. State v. Williams.

Cuyahoga App. No. 106570, 2018-Ohio-5022. On review of an order certifying a conflict. It is determined that no conflict exists. Cause dismissed.

French and Fischer, JJ., dissent.

2019-0339. Hageman v. Bryan City School Dist.

Franklin App. No. 17AP-742, 2019-Ohio-223. On appellant's motion for stay. Motion denied.

Donnelly, J., dissents.

French, J., not participating.

APPEALS ACCEPTED FOR REVIEW

2019-0181. State v. Long.

Clark App. No. 2017-CA-84, 2018-Ohio-5163.

Kennedy, Fischer, and DeWine, JJ., dissent.

APPEALS NOT ACCEPTED FOR REVIEW

2018-1804. State v. Williams.

Cuyahoga App. No. 106570, 2018-Ohio-5022. On appellant's motion to strike appellee's memorandum in opposition. Motion denied.

French, J., would accept the appeal on proposition of law Nos. I and II.

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

2019-0172. State v. Lester.

Cuyahoga App. No. 105992, 2018-Ohio-5154.

Fischer and Donnelly, JJ., dissent.
Stewart, J., not participating.

2019-0174. State v. Shine-Johnson.

Franklin App. No. 17AP-194, 2018-Ohio-3347.
Donnelly and Stewart, JJ., dissent.

2019-0325. State v. Sager.

Hamilton App. Nos. C-180051 and C-180052, 2019-Ohio-135.
French, Donnelly, and Stewart, JJ., dissent.

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