

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

May 29, 2019

[Cite as *05/29/2019 Case Announcements*, 2019-Ohio-2100.]

MERIT DECISIONS WITH OPINIONS

2017-1463. *State v. Martin*, Slip Opinion No. 2019-Ohio-2010.

Trumbull App. Nos. 2016-T-0103 and 2016-T-0104, 2017-Ohio-7453. Judgment reversed and convictions reinstated.

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

O'Connor, C.J., and Fischer, J., would dismiss the appeal as having been improvidently accepted.

2018-1055. *State ex rel. Tri Eagle Fuels, L.L.C. v. Dawson*, Slip Opinion No. 2019-Ohio-2011.

Cuyahoga App. No. 106459, 2018-Ohio-3054. Judgment affirmed.

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

DeWine, J., concurs in judgment only.

MOTION AND PROCEDURAL RULINGS

2019-0444. *State v. A.M.*

Cuyahoga App. No. 106400. 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 French, J., dissent.

2019-0454. State v. Cooper.

Clermont App. No. CA2016-06-037, 2017-Ohio-789. On motion for leave to file delayed appeal. Motion denied.

Donnelly, J., dissents.

2019-0486. State v. Reed.

Erie App. No. E-17-038, 2018-Ohio-4451. On motion for leave to file delayed appeal. Motion denied.

Kennedy and Donnelly, JJ., dissent.

2019-0497. State v. Brown.

Cuyahoga App. No. 106667, 2019-Ohio-313. 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 Fischer, J., dissent.

2019-0506. State v. Dixon.

Montgomery App. No. 27792, 2019-Ohio-231. 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.

APPEALS ACCEPTED FOR REVIEW

2019-0373. Sherman v. Ohio Pub. Emps. Retirement Sys.

Franklin App. No. 18AP-181, 2019-Ohio-278.

French, J., dissents.

2019-0395. State v. Jones.

Sandusky App. No. S-18-013, 2019-Ohio-301. Appeal accepted on proposition of law No. I.

O'Connor, C.J., and Donnelly and Stewart, JJ., would also accept the appeal on proposition of law No. II.

Kennedy, French, and DeWine, JJ., dissent.

2019-0416. Friedenbergs v. Friedenbergs.

Lake App. No. 2017-L-149, 2019-Ohio-325.

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

2019-0418. Litchfield Twp. Bd. of Trustees v. Forever Blueberry Barn, L.L.C.
Medina App. No. 18CA0023-M, 2019-Ohio-322. Appeal accepted on proposition of law No. I.

Kennedy, Donnelly, and Stewart, JJ., would accept the appeal on all propositions of law.

French, Fischer, and DeWine, JJ., dissent.

2019-0420. In re Adoption of Y.E.F.

Delaware App. No. 18 CAF 09 0070, 2019-Ohio-449.

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

Kennedy and DeWine, JJ., dissent.

2019-0421. In re Adoption of M.M.F.

Delaware App. No. 18 CAF 09 0069, 2019-Ohio-448.

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

Kennedy and DeWine, JJ., dissent.

APPEALS NOT ACCEPTED FOR REVIEW

2018-1748. State v. Ahmed.

Belmont App. No. 17 BE 0046. Appellant's motion to correct the time to file amended notice of appeal and amended memorandum in support of jurisdiction denied.

O'Connor, C.J., and DeWine and Donnelly, JJ., would deny the motion as moot.

2019-0339. Hageman v. Bryan City Schools.

Franklin App. No. 17AP-742, 2019-Ohio-223.

Kennedy and Stewart, JJ., dissent.

French, J., not participating.

2019-0344. State v. Curley.

Portage App. No. 2018-P-0088, 2019-Ohio-186.

Stewart, J., dissents.

2019-0352. GPI Distributions, Inc. v. Northeast Ohio Regional Sewer Dist.

Cuyahoga App. No. 106806, 2018-Ohio-4871.

Fischer, J., dissents.

2019-0353. State v. Van Norstran.

Summit App. No. 28928, 2019-Ohio-292.

2019-0362. Huber v. Inpatient Med. Servs., Inc.

Summit App. No. 28887, 2018-Ohio-4686.

2019-0365. State v. Maurent.

Delaware App. No. 18 CA 07 0053.

2019-0366. State v. Villolovos.

Lucas App. Nos. L-18-1113, L-18-1114, and L-18-1115, 2019-Ohio-241.

2019-0367. Jester v. Utilimap Corp.

Hamilton App. No. C-170576, 2018-Ohio-4755.

Fischer, J., not participating.

2019-0368. State v. Collins.

Cuyahoga App. No. 107341, 2019-Ohio-249.

Donnelly, J., dissents.

2019-0371. State v. Junod.

Mercer App. No. 10-18-08, 2019-Ohio-743.

Donnelly, J., dissents.

2019-0376. SAFA, Inc. v. Reliable Credit Assn., Inc.

Butler App. No. CA2018-08-157, 2019-Ohio-336. Appellant's motion to refile the notice of appeal under the proper case numbers and caption denied. Appellee's motion to dismiss denied.

O'Connor, C.J., would grant appellee's motion to dismiss.

DeWine and Donnelly, JJ., would grant appellant's motion to refile the notice of appeal under the proper case numbers and caption.

2019-0377. State v. McIntosh.

Gallia App. No. 17CA14, 2018-Ohio-5343.

Fischer, J., dissents.

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

2019-0378. Selbee v. Van Buskirk.

Scioto App. Nos. 16CA3777 and 16CA3780, 2018-Ohio-1262.

2019-0383. Lill v. Ohio State Univ.

Franklin App. No. 17AP-733.

Kennedy, French, and DeWine, JJ., dissent.

2019-0389. Strickler v. First Ohio Bank & Lending, Inc.

Lorain App. No. 17CA011117, 2018-Ohio-3835.

Kennedy and DeWine, JJ., dissent.

2019-0396. In re L.F.

Sandusky App. No. S-18-006, 2019-Ohio-304.

Donnelly, J., dissents.

2019-0402. State v. McCrone.

Warren App. No. CA2018-01-007, 2019-Ohio-337.

2019-0407. State v. Jaeger.

Medina App. No. 17CA0072-M, 2018-Ohio-2994. Appellant's "motion for amended memorandum in support of jurisdiction" granted.

Kennedy and Fischer, JJ., would deny appellant's "motion for amended memorandum in support of jurisdiction."

2019-0412. Whitright v. Whitright.

Geauga App. No. 2018-G-0155, 2019-Ohio-326.

Fischer and Donnelly, JJ., dissent.

2019-0413. In re Guardianship of Bernie.

Butler App. No. CA2018-01-005, 2019-Ohio-334.

2019-0423. Rae-Ann Geneva, Inc. v. Blakeslee.

Ashtabula App. No. 2017-A-0067, 2019-Ohio-406.

2019-0428. State v. Parham.

Franklin App. No. 16AP-826, 2019-Ohio-358.

Donnelly, J., dissents and would accept the appeal on proposition of law Nos. II and IV.

2019-0431. State v. Hammett-Marzette.

Montgomery App. No. 28157, 2019-Ohio-394.

O'Connor, C.J., and Donnelly and Stewart, JJ., dissent.

2019-0438. State v. Robinson.

Hamilton App. No. C-170147, 2019-Ohio-387.

French, J., dissents and would accept the appeal on proposition of law No. I.
Donnelly, J., dissents.

2019-0441. Toledo Clinic, Inc. v. Martinez.

Lucas App. No. L-17-1293, 2019-Ohio-431.

2019-0464. State ex rel. DeWine v. Walker.

Stark App. No. 2018CA00033, 2019-Ohio-218.

2019-0467. State v. Taylor.

Cuyahoga App. No. 107456, 2019-Ohio-637.

Stewart, J., not participating.

2019-0477. State v. Koch.

Butler App. No. CA2018-08-158, 2019-Ohio-591.

2019-0479. State v. Bach.

Montgomery App. No. 27966, 2019-Ohio-295.

2019-0484. State v. Smith.

Cuyahoga App. No. 107031, 2019-Ohio-631.

2019-0496. State v. Word.

Cuyahoga App. No. 107235, 2019-Ohio-795.

2019-0521. State v. Allgood.

Lorain App. No. 17CA011224, 2019-Ohio-738.

RECONSIDERATION OF PRIOR DECISIONS

2019-0001. Waverly City School Dist. Bd. of Edn. v. Triad AR, Inc.

Pike App. No. 17CA885, 2018-Ohio-4748. Reported at 155 Ohio St.3d 1405, 2019-Ohio-944, 119 N.E.3d 433. On motion for reconsideration. Motion denied.

Kennedy, French, and DeWine, JJ., dissent.

2019-0058. State v. Sykes.

Cuyahoga App. No. 106390, 2018-Ohio-4774. Reported at 155 Ohio St.3d 1410, 2019-Ohio-1111, 120 N.E.3d 29. On motion for reconsideration. Motion denied. Appellee's motion to strike appellant's motion for reconsideration denied.

French and Stewart, JJ., concur in part and dissent in part and would grant appellant's motion for reconsideration.

Donnelly, J., not participating.