

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

July 10, 2019

[Cite as *07/10/2019 Case Announcements*, 2019-Ohio-2780.]

MOTION AND PROCEDURAL RULINGS

2019-0560. *State v. Olmstead.*

Ashland App. No. 18-COA-016, 2018-Ohio-5301. On motion for leave to file delayed appeal. Motion denied.

Donnelly and Stewart, JJ., dissent.

2019-0625. *State v. Lindsey.*

Cuyahoga App. No. 106111, 2019-Ohio-782. 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 Kennedy, J., dissent.

2019-0633. *State v. Clardy.*

Cuyahoga App. No. 107064, 2019-Ohio-536. On motion for leave to file delayed appeal. Motion denied.

Fischer and Donnelly, JJ., dissent.

2019-0645. *State v. Torres.*

Ottawa App. No. OT-18-008, 2019-Ohio-434. On motion for leave to file delayed appeal. Motion denied.

Fischer and Donnelly, JJ., dissent.

2019-0662. *State v. McMasters.*

Belmont App. No. 17 BE 0055, 2019-Ohio-1085. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

2019-0664. State v. Bennett.

Cuyahoga App. No. 105737, 2018-Ohio-287. On motion for leave to file delayed appeal. Motion denied.

Kennedy and Fischer, JJ., dissent.

2019-0668. Jones v. Wainwright.

Marion App. No. 9-18-28. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

Kennedy, DeWine, and Stewart, JJ., dissent.

2019-0680. State v. Martinez-Castro.

Lorain App. No. 18CA011361. 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

2019-0544. State v. Weber.

Clermont App. No. CA2018-06-040, 2019-Ohio-916. Appeal accepted on proposition of law Nos. I, II, and III.

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

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

2019-0621. In re M.H.

Cuyahoga App. No. 105742, 2018-Ohio-4848. Appeal accepted on proposition of law Nos. I, II, and III.

O'Connor, C.J., would accept the appeal on proposition of law Nos. II and III only.

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

2019-0646. State v. Hudson.

Franklin App. No. 18AP-625, 2019-Ohio-1071.

Stewart, J., would also certify a conflict.

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

APPEALS NOT ACCEPTED FOR REVIEW

2019-0164. State v. Smith.

Portage App. No. 2016-P-0074, 2018-Ohio-4799.

French, J., dissents.

2019-0165. State v. Pearson.

Seneca App. No. 13-18-35.

2019-0197. State v. Lark.

Fayette App. No. CA2018-03-004, 2018-Ohio-4940.

Donnelly, J., dissents and would accept the appeal and appoint counsel.

2019-0287. State v. Lynn.

Butler App. No. CA2017-08-129, 2018-Ohio-3335.

2019-0316. State v. Smedley.

Montgomery App. No. 27889, 2018-Ohio-4629.

2019-0372. Saffold v. Black Economic Union of Ohio.

Cuyahoga App. No. 108080.

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

Donnelly, J., dissents.

2019-0524. Prokos v. Jones.

Athens App. No. 18CA8, 2019-Ohio-519.

2019-0543. State v. Lucius.

Logan App. No. 8-18-31, 2019-Ohio-741.

Donnelly, J., dissents.

2019-0546. State v. Nicholson.

Morgan App. No. 18 AP 0005, 2019-Ohio-1058.

2019-0548. McAllister v. Myers Industries, Inc.

Summit App. No. 29040, 2019-Ohio-773.

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

2019-0549. State v. Knoefel.

Lake App. No. 2017-L-150, 2019-Ohio-267.

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

2019-0552. State v. Scott.

Preble App. No. CA2018-10-015, 2019-Ohio-1292.

2019-0555. State v. Williams.

Cuyahoga App. No. 107221, 2019-Ohio-794.

Donnelly, J., dissents.

2019-0557. State v. Montgomery.

Licking App. No. 2018-CA-00115, 2019-Ohio-853.

2019-0559. L.T.C. v. G.A.C.

Cuyahoga App. No. 107110, 2019-Ohio-789.

2019-0566. State v. Parsons.

Henry App. No. 7-18-29, 2019-Ohio-824.

2019-0570. State v. O’Keefe.

Lake App. No. 2018-L-088, 2019-Ohio-841.

2019-0574. Stalder v. Bucher.

Monroe App. No. 17 MO 0017, 2019-Ohio-936. Intervening appellee’s “motion to vacate lower courts’ void judgments, or, alternatively, for leave to intervene” denied.

Kennedy, J., concurs in part and dissents in part and would grant the motion to vacate and deny the request to accept jurisdiction as moot.

2019-0577. State v. Barnhart.

Meigs App. Nos. 18CA15 and 18CA8, 2019-Ohio-1184.

2019-0580. State v. Hawrylak.

Hancock App. No. 5-18-17.

2019-0583. State v. Carter.

Pickaway App. No. 18CA1, 2018-Ohio-4503.

2019-0584. State v. Leon.

Huron App. No. H-18-018, 2019-Ohio-1178.
Fischer, J., dissents.

2019-0585. State v. Homolak.

Cuyahoga App. No. 107040, 2019-Ohio-869.
Donnelly and Stewart, JJ., dissent.

2019-0586. State v. Williams.

Cuyahoga App. No. 107151, 2019-Ohio-871.
Donnelly and Stewart, JJ., dissent.

2019-0587. State v. Newlin.

Cuyahoga App. No. 106922, 2019-Ohio-865.
Donnelly, J., dissents and would accept the appeal on proposition of law No. V.

2019-0590. State v. Johnson.

Champaign App. No. 2018-CA-27, 2019-Ohio-1259.

2019-0596. State v. Krug.

Lake App. No. 2018-L-056, 2019-Ohio-926.

2019-0608. In re A.J.O.

Hamilton App. No. C-180680, 2019-Ohio-975.

2019-0612. In re Ki.B.

Cuyahoga App. No. 107692, 2019-Ohio-999.
Donnelly, J., dissents.

2019-0619. Taneff v. Lipka.

Franklin App. No. 18AP-291, 2019-Ohio-887.

2019-0666. State v. Genous.

Franklin App. No. 19AP-149.

2019-0667. State v. Duett.

Hamilton App. No. C-190211.

2019-0672. State v. Turner.

Cuyahoga App. No. 108416.

2019-0674. State v. Bradley.

Cuyahoga App. Nos. 107254 and 107873, 2019-Ohio-1243.

2019-0675. State v. Shoecraft.

Montgomery App. No. 27860, 2018-Ohio-3920.

2019-0678. State ex rel. Kostoff v. Beck Energy Corp.

Summit App. No. 28719, 2019-Ohio-1221.

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

2019-0690. State v. Vargas.

Cuyahoga App. No. 108329.

Stewart, J., not participating.

2019-0699. State v. Oldham.

Cuyahoga App. No. 108219.

2019-0701. State v. Florence.

Montgomery App. No. 28075.

2019-0702. State v. Moore.

Summit App. No. 28914, 2019-Ohio-1330.

2019-0705. State v. Draughon.

Franklin App. No. 18AP-709, 2019-Ohio-1461.

Donnelly, J., dissents and would accept the appeal and appoint counsel.

RECONSIDERATION OF PRIOR DECISIONS

2018-0593. State ex rel. Roberts v. Marsh.

Hamilton App. No. C-180086. Reported at __ Ohio St.3d __, 2019-Ohio-1569, __ N.E.3d __. On motion for reconsideration. Motion denied.

Fischer, J., not participating.

2018-1826. State v. Melton.

Cuyahoga App. No. 107076, 2018-Ohio-4699. Reported at 155 Ohio St.3d 1455, 2019-Ohio-1759, 122 N.E.3d 216. On motion for reconsideration. Motion denied.

Stewart, J., not participating.

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

In Mandamus and Prohibition. Reported at 155 Ohio St.3d 1443, 2019-Ohio-1707, 122 N.E.3d 205. On motion for reconsideration. Motion denied.

Stewart, J., not participating.

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

In Mandamus. Reported at 155 Ohio St.3d 1444, 2019-Ohio-1707, 122 N.E.3d 206. On motion for reconsideration. Motion denied.

2019-0358. State v. Shine-Johnson.

Franklin App. No. 17AP-194, 2018-Ohio-3347. Reported at 155 Ohio St.3d 1439, 2019-Ohio-1536, 121 N.E.3d 410. On motion for reconsideration. Motion denied.

French and Donnelly, JJ., dissent.