

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

September 3, 2019

[Cite as *09/03/2019 Case Announcements*, 2019-Ohio-3505.]

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## MOTION AND PROCEDURAL RULINGS

### **2019-0930. State v. George.**

Cuyahoga App. No. 106317, 2018-Ohio-5156. 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 and DeWine, JJ., dissent.

### **2019-0948. State v. Lammkin.**

Franklin App. No. 18AP-398, 2019-Ohio-682. On motion for leave to file delayed appeal. Motion denied.

French, Fischer, and Donnelly, JJ., dissent.

### **2019-0956. State v. Cartlidge.**

Seneca App. No. 13-18-33, 2019-Ohio-1283. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

### **2019-0957. State v. Dobson.**

Cuyahoga App. No. 107721, 2019-Ohio-368. On motion for leave to file delayed appeal. Motion denied.

Donnelly, J., dissents.

**2019-0958. State v. Nave.**

Cuyahoga App. No. 107032, 2019-Ohio-348. On motion for leave to file delayed appeal. Motion denied.

Donnelly, J., dissents.

**APPEALS ACCEPTED FOR REVIEW**

**2019-0838. Columbia Gas Transm., L.L.C. v. Ohio Valley Coal Co.**

Franklin App. No. 17AP-413, 2019-Ohio-1004.

O'Connor, C.J., dissents.

**2019-0850. Davis v. Hollins.**

Franklin App. No. 17AP-716, 2019-Ohio-1789.

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

**2019-0898. Cincinnati v. Fourth Natl. Realty, L.L.C.**

Hamilton App. Nos. C-180156 and C-180174, 2019-Ohio-1868.

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

Robin N. Piper, J., of the Twelfth District Court of Appeals, sitting for Fischer, J.

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

**APPEALS NOT ACCEPTED FOR REVIEW**

**2019-0506. State v. Dixon.**

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

**2019-0786. State v. Guy.**

Franklin App. No. 17AP-322, 2018-Ohio-4836.

Donnelly, J., dissents.

**2019-0789. State v. Dunn.**

Belmont App. No. 19 BE 0001.

**2019-0792. Karnofel v. Superior Waterproofing, Inc.**

Trumbull App. No. 2018-T-0055, 2019-Ohio-1409.

**2019-0796. Amazing Tickets, Inc. v. Cleveland.**

Cuyahoga App. No. 107522, 2019-Ohio-1652.

Kennedy, J., dissents.

**2019-0797. In re Guardianship of Foster.**

Cuyahoga App. No. 107438, 2019-Ohio-1649.

**2019-0810. O'Farrell v. Harlem Twp. Bd. of Trustees.**

Delaware App. Nos. 18 CAH 08 0059 and 18 CAH 08 0062, 2019-Ohio-1675.

Kennedy, J., dissents.

Fischer, J., dissents and would accept the appeal on proposition of law Nos. I and III.

**2019-0811. Esrati v. Dayton City Comm.**

Montgomery App. No. 28062, 2019-Ohio-1021.

Fischer, J., dissents.

**2019-0814. Plain Local School Bd. of Edn. v. Stark Cty. Bd. of Revision.**

Stark App. No. 2018CA00125, 2019-Ohio-1746.

Kennedy, J., dissents.

**2019-0821. LaBounty v. Big 3 Automotive.**

Ottawa App. No. OT-18-022, 2019-Ohio-1919.

**2019-0836. Saha v. Research Inst. at Nationwide Children's Hosp.**

Franklin App. No. 18AP-661, 2019-Ohio-1792.

**2019-0839. State ex rel. Osborne v. N. Canton.**

Stark App. No. 2018CA00132, 2019-Ohio-1744.

Kennedy and Donnelly, JJ., dissent.

**2019-0840. State v. Nieves.**

Lorain App. No. 08CA009500.

Donnelly, J., dissents.

**2019-0846. Tassone v. Tassone.**

Franklin App. No. 18AP-912. Appellant's motion to stay proceedings in trial court pending appeal denied.

**2019-0847. Ettayem v. Ramsey.**

Franklin App. No. 17AP-155, 2019-Ohio-675.

**2019-0848. State v. Helfrich.**

Licking App. No. 18-CA-45, 2019-Ohio-1785.

French, J., dissents.

**2019-0854. State v. Bryant.**

Butler App. No. CA2018-09-0186.

**2019-0855. State v. Bridges.**

Cuyahoga App. No. 107281, 2019-Ohio-1769.

**2019-0856. State v. Durgen.**

Hamilton App. No. C-170148, 2019-Ohio-2310.

**2019-0858. State v. To.**

Franklin App. No. 18AP-751, 2019-Ohio-1795.

**2019-0859. State v. Carter.**

Hamilton App. No. C-170655, 2019-Ohio-1749.

Fischer, J., not participating.

**2019-0862. Hague v. Kosicek.**

Ashtabula App. No. 2018-A-0060, 2019-Ohio-2089.

French, J., dissents.

**2019-0866. State v. Hall.**

Trumbull App. No. 2018-T-0069, 2019-Ohio-1848.

**2019-0867. State v. Cook.**

Lucas App. No. L-18-1146, 2019-Ohio-1484.

**2019-0870. State v. Curtis.**

Muskingum App. No. CT2019-0028.

**2019-0893. Gitler v. Ohio EPA.**

Lucas App. No. L-19-1086.

**2019-0917. Hester v. Case W. Res. Univ.**  
Cuyahoga App. No. 107492, 2019-Ohio-1991.

**2019-0931. State v. King.**  
Lorain App. No. 18CA011364, 2019-Ohio-2060.  
Donnelly, J., dissents and would appoint counsel.

**2019-0933. State v. Artis.**  
Logan App. No. 8-18-40, 2019-Ohio-2070.

**2019-0947. State v. Fornshell.**  
Hamilton App. No. C-180267.

**2019-0954. State v. Kinney.**  
Cuyahoga App. No. 106952, 2019-Ohio-2567.

**2019-0959. State v. Ettenger.**  
Franklin App. No. 18AP-326, 2019-Ohio-2085.  
Donnelly and Stewart, JJ., dissent.

**2019-0962. Readinger v. Mun. Constr. Equip. Operators.**  
Cuyahoga App. No. 107228, 2019-Ohio-1436.  
Stewart, J., dissents.

**2019-0969. State v. Idler.**  
Brown App. Nos. CA2018-09-008 and CA2018-09-009, 2019-Ohio-2159.  
Donnelly, J., dissents.

## **RECONSIDERATION OF PRIOR DECISIONS**

**2019-0480. State ex rel. Lemasters v. Twelfth Dist. Court of Appeals.**  
In Prohibition. Reported at 156 Ohio St.3d 1441, 2019-Ohio-2496, 125 N.E.3d 907. On motion for reconsideration. Motion denied.

**2019-0530. Arnold v. Allen.**  
Stark App. No. 2018CA00130. Reported at 156 Ohio St.3d 1446, 2019-Ohio-2498, 125 N.E.3d 916. On motion for reconsideration. Motion denied.

**2019-0558. State v. Cooper.**

Summit App. No. 29110, 2019-Ohio-770. Reported at 156 Ohio St.3d 1443, 2019-Ohio-2496, 125 N.E.3d 905. On motion for reconsideration. Motion denied.

Donnelly and Stewart, JJ., dissent.

**2019-0632. In re L.R.**

Lorain App. Nos. 18CA011378 and 18CA011385, 2019-Ohio-1152. Reported at 156 Ohio St.3d 1447, 2019-Ohio-2498, 125 N.E.3d 919. On motion for reconsideration. Motion denied.