

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

September 17, 2019

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### MOTION AND PROCEDURAL RULINGS

**2019-0973. *State v. King.***

Warren App. No. CA2018-04-047, 2019-Ohio-833. 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 and DeWine, JJ., dissent.

**2019-0974. *State v. Heckathorn.***

Columbiana App. No. 17 CO 0011, 2019-Ohio-1086. 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.

**2019-0976. *State v. Villani.***

Butler App. No. CA2018-04-080, 2019-Ohio-1831. On motion for leave to file delayed appeal. Motion denied. Appellant's "motion to waive time-stamped copy of the decision of the appellate court" granted.

O'Connor, C.J., and Kennedy and DeWine, JJ., would deny the "motion to waive time-stamped copy of the decision of the appellate court."

Fischer, Donnelly, and Stewart, JJ., dissent and would grant the motion for leave to file delayed appeal.

**2019-1003. State v. Albright.**

Cuyahoga App. No. 107632, 2019-Ohio-1998. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

**2019-1022. State v. Jeager.**

Medina App. No. 17CA0072-M, 2018-Ohio-2994. On motion for leave to file delayed appeal. Motion denied.

Fischer and Donnelly, JJ., dissent.

**2019-1033. State v. Henderson.**

Cuyahoga App. No. 106627, 2018-Ohio-3797. On motion for leave to file delayed appeal. Motion denied.

Fischer, J., dissents.

**2019-1039. Blevins v. Bracy.**

Trumbull App. No. 2017-T-0083, 2017-Ohio-8812. On motion for leave to file delayed appeal. Motion denied.

**2019-1056. State v. Darby.**

Richland App. No. 2019 CA 0013, 2019-Ohio-2186. On motion for leave to file delayed appeal. Motion denied.

Donnelly, J., dissents.

**APPEALS NOT ACCEPTED FOR REVIEW**

**2019-0535. State v. Woods.**

Lawrence App. Nos. 16CA28 and 16CA29, 2018-Ohio-4588.

Donnelly and Stewart, JJ., dissent.

**2019-0625. State v. Lindsey.**

Cuyahoga App. No. 106111, 2019-Ohio-782.

**2019-0718. Cook v. Cook.**

Delaware App. No. 18 CAF 09 0072.

**2019-0863. State v. Leffel.**

Ashtabula App. No. 2017-A-0085, 2019-Ohio-1840.

**2019-0865. State v. Armengau.**

Franklin App. No. 18AP-276, 2019-Ohio-1010.

**2019-0868. Dublin v. RiverPark Group, L.L.C.**

Franklin App. No. 18AP-607, 2019-Ohio-1790.

Kennedy, J., dissents.

**2019-0869. Dublin v. RiverPark Group, L.L.C.**

Franklin App. No. 18AP-607, 2019-Ohio-1790.

Kennedy, J., dissents.

**2019-0875. Grischow v. Grischow.**

Delaware App. No. 18 CAF 07 0052, 2019-Ohio-1856.

Kennedy, J., dissents.

**2019-0882. State v. Nixon.**

Portage App. Nos. 2019-P-0028 and 2019-P-0029, 2019-Ohio-1955.

**2019-0886. State v. Counts.**

Cuyahoga App. No. 108594.

Fischer, J., dissents.

**2019-0887. C.L. v. T.B.**

Franklin App. No. 18AP-887, 2019-Ohio-1864.

**2019-0892. State ex rel. Hall v. Turner.**

Marion App. No. 9-19-01, 2019-Ohio-1938.

**2019-0894. State v. Campbell.**

Hamilton App. No. C-170666, 2019-Ohio-2948.

Fischer, J., not participating.

**2019-0901. State v. Singer.**

Lucas App. No. L-17-1309, 2019-Ohio-1922.

Kennedy and French, JJ., dissent.

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

**2019-0902. Oehler v. McAdams.**

Summit App. No. 28903, 2019-Ohio-1976.

**2019-0906. Sky v. Van Der Westhuizen.**

Stark App. No. 2018 CA 00127, 2019-Ohio-1960.

**2019-0907. State v. Burke.**

Trumbull App. Nos. 2018-T-0032 and 2018-T-0035, 2019-Ohio-1951.

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

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

**2019-0908. Sauers v. Munroe Muffler.**

Summit App. No. 29301, 2019-Ohio-1977.

**2019-0910. Vucsko v. Cleveland Urology Assocs., Inc.**

Cuyahoga App. No. 107498, 2019-Ohio-1992.

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

**2019-0913. Lusk v. Crown Pointe Care Ctr.**

Franklin App. No. 18AP-549, 2019-Ohio-1326.

**2019-0918. Cleveland v. Clark.**

Cuyahoga App. No. 107634, 2019-Ohio-1999.

French and Donnelly, JJ., dissent.

**2019-0919. Katz, Greenberger & Norton, L.L.P. v. Donisi.**

Hamilton App. No. C-180087.

**2019-0920. State v. Barnard.**

Ashtabula App. Nos. 2018-A-0055 through 2018-A-0058, 2019-Ohio-2283.

**2019-0922. Thompson v. Bingham Greenebaum Doll, L.L.P.**

Delaware App. No. 18 CAE 11 0089, 2019-Ohio-2123.

**2019-0923. In re A.M.**

Hamilton App. No. C-190027, 2019-Ohio-2028.

O'Connor, C.J., and Stewart, J., dissent and would accept the appeal on proposition of law No. I.

Donnelly, J., dissents.

**2019-0924. Cleveland v. Capital Source Bank.**

Cuyahoga App. No. 107422, 2019-Ohio-1990.

Kennedy, J., dissents.

**2019-0928. State v. Hunt.**

Cuyahoga App. No. 105769, 2019-Ohio-1982.

**2019-0929. Caterpillar Fin. Servs. Corp. v. Harold Tatman & Sons Ents., Inc.**

Ross App. No. 18-CA-3646.

**2019-0964. State v. Thomas.**

Summit App. No. 29124, 2019-Ohio-2104.

**2019-0966. State v. D.W.**

Franklin App. No. 18AP-690, 2019-Ohio-2193.

Donnelly, J., dissents and would appoint counsel.

**2019-0975. State v. Spurling.**

Hamilton App. No. C-170531.

**2019-0979. In re A.S.**

Hamilton App. No. C-180056, 2019-Ohio-2359.

Donnelly and Stewart, JJ., dissent.

**2019-0981. Williams v. Ohio Dept. of Rehab. & Corr.**

Franklin App. No. 18AP-720, 2019-Ohio-2194.

**2019-0984. State v. Maxwell.**

Franklin App. No. 18AP-341, 2019-Ohio-2191.

**2019-0985. In re K.R. and Z.R.**

Franklin App. Nos. 18AP-633 and 18AP-634, 2019-Ohio-2192.

**2019-0990. State v. Dawson.**

Pickaway App. No. 18CA17, 2019-Ohio-2758.

Donnelly, J., dissents and would appoint counsel.

**2019-0993. State v. Boddie.**

Clark App. No. 2018-CA-111, 2019-Ohio-2246.

Donnelly and Stewart, JJ., dissent.

**2019-0994. State v. Melendez.**

Cuyahoga App. No. 106994, 2019-Ohio-2212.

Fischer, J., dissents.

**2019-1006. State v. Bitting.**

Summit App. No. 29238, 2019-Ohio-2304.

**2019-1008. State v. Spann.**

Cuyahoga App. No. 108672.

Donnelly, J., dissents and would appoint counsel.

**2019-1010. State v. Miller.**

Hamilton App. No. C-180199.

Fischer and DeWine, JJ., not participating.

**2019-1011. State v. Woods.**

Hamilton App. No. C-180112.

Donnelly, J., dissents and would appoint counsel.

Fischer and DeWine, JJ., not participating.

**2019-1017. State v. Burton.**

Cuyahoga App. No. 107054, 2019-Ohio-2431.

Fischer, J., dissents.

**2019-1020. State v. Smith.**

Stark App. No. 2019CA00008, 2019-Ohio-2300.

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

**2019-1031. State v. Guice.**

Franklin App. No. 18AP-305, 2019-Ohio-1324.

**2019-1054. State v. Hillman.**

Franklin App. No. 17AP-256, 2017-Ohio-8217.

**2019-1070. State v. Jensen.**

Lucas App. No. L-18-1034, 2019-Ohio-2474.

**2019-1088. State v. Hampton.**

Stark App. No. 2018 CA 00123, 2019-Ohio-2555. Appellant's motion for stay and to compel appellee to reply denied.

DeWine, J., would deny the motion as moot.

**RECONSIDERATION OF PRIOR DECISIONS**

**2018-0189. New Riegel Local School Dist. Bd. of Edn. v. Buehrer Group Architecture & Eng., Inc.**

Seneca App. No. 13-17-04. Reported at \_\_ Ohio St.3d \_\_, 2019-Ohio-2851, \_\_ N.E.3d \_\_. On motion for reconsideration. Motion denied.

Stewart, J., dissents.

**2018-0213. New Riegel Local School Dist. Bd. of Edn. v. Buehrer Group Architecture & Eng., Inc.**

Seneca App. Nos. 13-17-03 and 13-17-06. Reported at \_\_ Ohio St.3d \_\_, 2019-Ohio-2851, \_\_ N.E.3d \_\_. On motion for reconsideration. Motion denied.

Stewart, J., dissents.

**2019-0555. State v. Williams.**

Cuyahoga App. No. 107221, 2019-Ohio-794. Reported at 156 Ohio St.3d 1453, 2019-Ohio-2780, 125 N.E.3d 935. On motion for reconsideration. Motion denied.

Donnelly, J., dissents.

**2019-0580. State v. Hawrylak.**

Hancock App. No. 5-18-17. Reported at 156 Ohio St.3d 1454, 2019-Ohio-2780, 125 N.E.3d 943. On motion for reconsideration. Motion denied.

**2019-0586. State v. Williams.**

Cuyahoga App. No. 107151, 2019-Ohio-871. Reported at 156 Ohio St.3d 1454, 2019-Ohio-2780, 125 N.E.3d 944. On motion for reconsideration. Motion denied.

Donnelly, J., dissents.

**2019-0626. State v. Spellacy.**

Cuyahoga App. No. 106909, 2019-Ohio-785. Reported at 156 Ohio St.3d 1465, 2019-Ohio-2892, 126 N.E.3d 1170. On motion for reconsideration. Motion denied.

DeWine and Donnelly, JJ., dissent.

**2019-0759. State v. Blanton.**

Cuyahoga App. No. 107237, 2019-Ohio-1523. Reported at 156 Ohio St.3d 1466, 2019-Ohio-2892, 126 N.E.3d 1176. On motion for reconsideration. Motion denied.