

# The Supreme Court of Ohio

---

## CASE ANNOUNCEMENTS

September 24, 2019

[Cite as *09/24/2019 Case Announcements*, 2019-Ohio-3845.]

---

## MERIT DECISIONS WITH OPINIONS

**2018-0097. *Cleveland v. State*, Slip Opinion No. 2019-Ohio-3820.**

Cuyahoga App. No. 105500, 2017-Ohio-8882. Judgment reversed and cause remanded.

Kennedy, French and Fischer, JJ., concur.

DeWine, J., concurs in judgment only, with an opinion joined in part by Stewart, J.

O'Connor, C.J., dissents, with an opinion joined by Donnelly and Stewart, JJ.

**2018-1760. *Disciplinary Counsel v. Simmons*, Slip Opinion No. 2019-Ohio-3783.**

On Certified Report by the Board of Professional Conduct, No. 2018-013. Frank James Simmons Jr., Attorney Registration No. 0058498, last known business address in Toledo, Ohio, suspended from the practice of law for two years, fully stayed on conditions.

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

Kennedy, J., concurs in part and dissents in part, with an opinion joined by DeWine, J.

**2019-0213 and 2019-0260. *State ex rel. Sands v. Culotta*, Slip Opinion No. 2019-Ohio-3784.**

Lake App. No. 2018-L-129, 2019-Ohio-329, and No. 2018-L-109, 2019-Ohio-272. Judgments affirmed.

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

## AFFIDAVITS OF DISQUALIFICATION

The chief justice has released the following judicial-disqualification opinions, which were previously issued as entries in response to affidavits of disqualification filed pursuant to R.C. 2701.03.

**19-AP-043. In re Disqualification of Lynch, [2019-Ohio-3837](#) (decided June 7, 2019).**

**19-AP-067. In re Disqualification of Saffold, [2019-Ohio-3838](#) (decided June 5, 2019).**

**19-AP-076. In re Disqualification of O'Donnell, [2019-Ohio-3839](#) (decided June 25, 2019).**

## MOTION AND PROCEDURAL RULINGS

### **[2018-0757. State v. Worley.](#)**

Fulton C.P. No. 16CR000106. On joint motion to continue stay of briefing schedule. Motion granted. The parties shall notify this court within 45 days if counsel jointly deem that the stay should be further continued or if additional counsel should be appointed for appellant.

### **[2018-1265. State v. Kirkland.](#)**

Hamilton C.P. No. B 0901629. On appellant's motion to allow court-appointed postconviction counsel to have access to sealed filings. Motion granted.

### **[2019-1032. Robinson v. Fender.](#)**

Ashtabula App. No. 2019-A-0039, 2019-Ohio-2514. On appellant's motion for effective assistance of counsel. Motion denied.

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

### **[2019-1157. White v. Nelson.](#)**

In Procedendo. On relator's motion for mediation. Motion denied.

## DISCIPLINARY CASES

### **2019-1283. In re Mason.**

On certified entry of felony conviction. Lance Timothy Mason, Attorney Registration No. 0067346, last known business address in Cleveland, Ohio, suspended from the practice of law for an interim period.

## MEDIATION MATTERS

The following case has been returned to the regular docket under S.Ct.Prac.R. 19.01. The appellee shall file a brief within 30 days, and the parties shall otherwise proceed in accordance with S.Ct.Prac.R. 16.02 through 16.07. As provided in S.Ct.Prac.R. 16.07, this court may dismiss this case or take other action if the parties fail to timely file merit briefs.

### **2019-0760. State ex rel. Mun. Constr. Equip. Operators' Labor Council v. Cleveland.**

Cuyahoga App. No. 107585, 2019-Ohio-1889.

---

The following case has been returned to the regular docket under S.Ct.Prac.R. 19.01. Respondents shall file a response to the complaint within 21 days.

### **2019-0841. Wilson v. Ohio Pub. Emps. Retirement Sys. Bd.**

In Mandamus.