

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

July 15, 2020

[Cite as *07/15/2020 Case Announcements*, 2020-Ohio-3705.]

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## MERIT DECISIONS WITH OPINIONS

**2018-1410. *State v. McClurg*, Slip Opinion No. 2020-Ohio-3696.**

Richland App. No. 17CA98, 2018-Ohio-3840. Judgment reversed and cause remanded to the court of appeals for application of *State v. Howard*, \_\_ Ohio St.3d \_\_, 2020-Ohio-3195, \_\_ N.E.3d \_\_.

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

**2019-0049. *State v. Nelson*, Slip Opinion No. 2020-Ohio-3690.**

Champaign App. No. 2018-CA-5, 2018-Ohio-4763. Judgment affirmed.

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

Donnelly, J., dissents, with an opinion joined by Stewart, J.

**2019-1588. *State v. Diehl*, Slip Opinion No. 2020-Ohio-3695.**

Wood App. No. WD-18-041, 2019-Ohio-3818. Judgment vacated and cause remanded for application of *State v. Howard*, \_\_ Ohio St.3d \_\_, 2020-Ohio-3195, \_\_ N.E.3d \_\_.

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

## **MOTION AND PROCEDURAL RULINGS**

### **2020-0312. State v. Montgomery.**

Stark App. No. 2019CA00012, 2019-Ohio-5178. On appellant's motion to file repeat-violent-offender-hearing transcript and state's repeat-violent-offender-hearing exhibit 2 under seal. Motion granted.

### **2020-0544. State v. Hubbard.**

Butler App. No. CA2019-05-086, 2020-Ohio-856. On appellant's motion for appointment of the Office of the Ohio Public Defender as counsel. Motion granted. Office of the Ohio Public Defender appointed to represent appellant.

### **2020-0625. State v. Hubbard.**

Butler App. No. CA2019-05-086, 2020-Ohio-856. On appellant's motion for appointment of the Office of the Ohio Public Defender as counsel. Motion granted. Office of the Ohio Public Defender appointed to represent appellant.

## **DISCIPLINARY CASES**

### **2019-1743. Toledo Bar Assn. v. Berling.**

Sua sponte, Mark David Berling, Attorney Registration No. 0002444, last known business address in Toledo, Ohio, found in contempt for failure to file an affidavit of compliance on or before June 11, 2020.

### **2020-0456. Disciplinary Counsel v. Ivsan.**

Sua sponte, John Vincent Ivsan, Attorney Registration No. 0064281, last known business address in Charlotte, North Carolina, found in contempt for failure to file an affidavit of compliance on or before June 8, 2020.