

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

August 18, 2020

[Cite as *08/18/2020 Case Announcements*, 2020-Ohio-4045.]

MERIT DECISIONS WITHOUT OPINIONS

2020-0828. *Petric v. Eppinger*.

In Habeas Corpus. Sua sponte, cause dismissed.

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

2020-0831. *Miller v. Phillips*.

In Habeas Corpus. Sua sponte, cause dismissed.

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

APPEALS ACCEPTED FOR REVIEW

2020-0677. *Eighmey v. Cleveland*.

Cuyahoga App. No. 108540, 2020-Ohio-1500. Sua sponte, cause held for the decision in 2020-0341, *Lycan v. Cleveland*.

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

Kennedy, Fischer, and Stewart, JJ., would not hold the cause.

2020-0705. *Maternal Grandmother v. Hamilton Cty. Dept. of Job & Family Servs.*

Hamilton App. No. C-180662, 2020-Ohio-1580.

Fischer and DeWine, JJ., dissent.

2020-0726. State v. Leegrand.

Cuyahoga App. No. 108626, 2020-Ohio-3179. Sua sponte, cause held for the decision in 2019-1430, *State v. Dowdy*.

DeWine, J., would not hold the cause.

Kennedy and Fischer, JJ., dissent.

APPEALS NOT ACCEPTED FOR REVIEW

2020-0359. State v. Reed.

Erie App. Nos. E-18-017 and E-18-018, 2020-Ohio-138.

2020-0509. State v. Kirk.

Cuyahoga App. Nos. 107527 and 107553, 2019-Ohio-3887.

French, J., dissents.

2020-0636. State v. Yanni.

Muskingum App. No. CT2019-0050, 2020-Ohio-1352.

2020-0645. Fleming v. Shelton.

Cuyahoga App. No. 108660, 2020-Ohio-1387. Appellee's motion to dismiss denied.

Kennedy and Stewart, JJ., would deny the motion as moot.

2020-0662. Curry v. Columbia Gas, Inc.

Franklin App. No. 19AP-618, 2020-Ohio-2693. Appellant's motion for judgment on pleadings denied.

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

2020-0672. SRS Distrib., Inc. v. Axis Alliance, L.L.C.

Montgomery App. No. 28607, 2020-Ohio-1529.

2020-0673. Noe v. Housel.

Lucas App. No. L-18-1267, 2020-Ohio-1537.

Kennedy, J., dissents.

2020-0674. Total Quality Logistics, L.L.C. v. ATA Logistics, Inc.

Clermont App. No. CA2019-09-071, 2020-Ohio-1553.

2020-0678. Gauthier v. Gauthier.

Warren App. No. CA2018-09-118, 2019-Ohio-4397.

2020-0679. Gauthier v. Gauthier.

Warren App. Nos. 2018-08-098 and 2018-08-099, 2019-Ohio-4208.

2020-0680. In re Foreclosure of Liens for Delinquent Land Taxes by Action In Rem v. Parcels of Land Encumbered with Delinquent Tax Liens.

Guernsey App. Nos. 19CA45, 19CA46, 19CA51, and 19CA52.

Kennedy, J., dissents.

2020-0681. Midfirst Bank v. Spencer.

Cuyahoga App. No. 108292, 2020-Ohio-106.

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

2020-0684. State v. Williams.

Seneca App. No. 13-19-25, 2019-Ohio-5296.

2020-0694. State v. Martre.

Allen App. No. 1-19-82.

2020-0695. Lucas v. Noel.

Medina App. No. 18CA0080-M, 2020-Ohio-1546.

Kennedy, J., dissents.

2020-0696. Sengpiel v. Sengpiel.

Summit App. No. 29563.

Kennedy, J., dissents.

2020-0697. Black v. Girard.

Trumbull App. No. 2019-T-0050, 2020-Ohio-1562.

Kennedy and DeWine, JJ., dissent and would consolidate the cause with 2020-0698, *Black v. Girard*.

2020-0698. Black v. Girard.

Trumbull App. No. 2019-TR-0053, 2020-Ohio-1563.

Kennedy and DeWine, JJ., dissent and would consolidate the cause with 2020-0697, *Black v. Girard*.

2020-0699. State v. Lacy.

Ashtabula App. No. 2019-A-00058.

2020-0701. State v. Hart.

Richland App. No. 2019 CA 0086, 2020-Ohio-1640.

Kennedy, J., dissents.

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

2020-0706. Liberty Mut. Ins. Co. v. Three-C Body Shop, Inc.

Franklin App. No. 19AP-775, 2020-Ohio-2694.

2020-0707. State v. Lucas.

Cuyahoga App. No. 108436, 2020-Ohio-1602.

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

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

2020-0709. State v. Benson.

Guernsey App. No. 19CA000009, 2019-Ohio-4315.

2020-0711. State v. Cammack.

Cuyahoga App. No. 108705, 2020-Ohio-2942.

2020-0712. Christiana Trust v. Berter.

Butler App. No. CA2019-07-109, 2020-Ohio-727.

2020-0714. State v. Copeland.

Cuyahoga App. No. 108785, 2020-Ohio-1621.

2020-0717. State v. Showes.

Hamilton App. No. C-180552, 2020-Ohio-650.

Kennedy and DeWine, JJ., dissent.

Fischer, J., not participating.

2020-0719. McCormick v. Flaughner.

Richland App. No. 2019 CA 0094, 2020-Ohio-2686.

Kennedy, J., dissents.

Fischer and DeWine, JJ., dissent and would accept the appeal on proposition of law No. I.

2020-0720. O'Donnell v. Northeast Ohio Neighborhood Health Servs., Inc.

Cuyahoga App. No. 108541, 2020-Ohio-1609.

2020-0725. J.P. v. T.H.

Lorain App. No. 19CA011469, 2020-Ohio-320.

2020-0734. Gregory v. Cuyahoga Cty.

Cuyahoga App. No. 108192, 2020-Ohio-2714.

2020-0745. State v. Everett.

Stark App. No. 2019CA00147, 2020-Ohio-2733.

2020-0775. State v. Simpson.

Montgomery App. No. 28558, 2020-Ohio-2961.

2020-0792. State v. Beem.

Licking App. No. 2019CA00062, 2020-Ohio-2964.

Stewart, J., dissents.

2020-0796. State v. Hays.

Summit App. No. 29506, 2020-Ohio-2919.

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

2020-0801. State v. Dixon.

Cuyahoga App. No. 109162, 2020-Ohio-3038.

Donnelly, J., dissents and would hold the cause for the decision in 2019-1430, *State v. Dowdy*.

RECONSIDERATION OF PRIOR DECISIONS

2018-1116. State v. McFarland.

Cuyahoga App. No. 105570, 2018-Ohio-2067. Reported at __ Ohio St.3d __, 2020-Ohio-3343, __ N.E.3d __. On motion for reconsideration. Motion denied.

Donnelly and Dorrian, JJ., dissent.

Julia L. Dorrian, J., of the Tenth District Court of Appeals, sitting for Stewart, J.

2019-1276. State ex rel. Kendrick v. Parker.

Montgomery App. No. 28098. Reported at 159 Ohio St.3d 1441, 2020-Ohio-3677, 149 N.E.3d 510. On motion for reconsideration. Motion denied.

2019-1546. State ex rel. Miller v. May.

Richland App. No. 19 CA 56, 2019-Ohio-4065. Reported at __ Ohio St.3d __, 2020-Ohio-3248, __ N.E.3d __. On motion for reconsideration. Motion denied.

2020-0210. State v. Bonnell.

Cuyahoga App. No. 108209, 2019-Ohio-4065. Reported at 159 Ohio St.3d 1413, 2020-Ohio-3276, 147 N.E.3d 647. On motion for reconsideration. Motion denied. Appellant's motion to expand the record and motion to strike memo opposing motion for reconsideration denied.

French, J., dissents and would grant the motion for reconsideration as to proposition of law Nos. I through III.

Donnelly, J., dissents and would grant the motion for reconsideration and the motion to expand the record.

Stewart, J., dissents and would grant the motion for reconsideration.

2020-0377. State ex rel. Townsend v. Gaul.

In Prohibition. Reported at 159 Ohio St.3d 1411, 2020-Ohio-3275, 147 N.E.3d 651. On motion for reconsideration. Motion denied.

2020-0442. State v. Boayue.

Franklin App. No. 18AP-972, 2020-Ohio-549. Reported at 159 Ohio St.3d 1408, 2020-Ohio-3174, 146 N.E.3d 586. On motion for reconsideration. Motion denied.

Donnelly, J., dissents.

2020-0449. Mowery, Youell & Galeano, Ltd. v. Stewart.

Franklin App. No. 20AP-076. Reported at 159 Ohio St.3d 1412, 2020-Ohio-3275, 147 N.E.3d 650. On motion for reconsideration. Motion denied. Appellant's motion for leave to proceed under R.C. 2323.52(F)(2) to file the accompanying motion for reconsideration denied.

French, J., not participating.

2020-0615. RRL Holding Co. of Ohio, L.L.C. v. Stewart.

Franklin App. No. 20AP-044. Reported at 159 Ohio St.3d 1413, 2020-Ohio-3275, 147 N.E.3d 654. On motion for reconsideration. Motion denied. Appellant's motion for leave to proceed under R.C. 2323.52(F)(2) to file the accompanying motion for reconsideration denied.

Kennedy, J., dissents.

Stewart, J., dissents and would grant the motion for leave.

French, J., not participating.