

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

September 29, 2020

[Cite as *09/29/2020 Case Announcements, 2020-Ohio-4574.*]

MERIT DECISIONS WITHOUT OPINIONS

2020-0954. [Johnston v. Hamilton Cty. Justice Ctr.](#)

In Habeas Corpus. Sua sponte, cause dismissed.

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

2020-1007. [Crews v. Schmidt.](#)

In Habeas Corpus. Sua sponte, cause dismissed.

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

MOTION AND PROCEDURAL RULINGS

2020-0946. [State v. Thomas.](#)

Belmont App. No. 17 BE 0028, 2018-Ohio-3768. On motion for leave to file delayed appeal. Motion denied.

APPEALS ACCEPTED FOR REVIEW

2020-0812. Peppertree Farms, L.L.C. v. Thonen.

Stark App. No. 2019CA00159, 2020-Ohio-3042. Appeal accepted on proposition of law No. II. Sua sponte, cause held for the decision in 2019-1494, *West v. Bode*.

Kennedy, J., would accept the appeal on all propositions of law, would not hold the cause, and would consolidate the cause with 2020-0814, *Peppertree Farms, L.L.C. v. Thonen*.

French, J., would also accept the appeal on proposition of law No. I.

DeWine, J., dissents.

2020-0814. Peppertree Farms, L.L.C. v. Thonen.

Stark App. No. 2019CA00161, 2020-Ohio-3043. Appeal accepted on proposition of law No. I. Sua sponte, cause held for the decision in 2019-1494, *West v. Bode*.

O'Connor, C.J., would also accept the appeal on proposition of law No. III.

Kennedy, J., would accept the appeal on all propositions of law, would not hold the cause, and would consolidate the cause with 2020-0812, *Peppertree Farms, L.L.C. v. Thonen*.

DeWine, J., dissents.

2020-0861. Fonzi v. Miller.

Monroe App. No. 19 MO 0011, 2020-Ohio-3739. Sua sponte, cause held for the decision in 2019-1123, *Gerrity v. Chevernak*.

Kennedy, J., would not hold the cause.

Fischer and DeWine, JJ., would accept the appeal on proposition of law Nos. I through V only.

2020-0866. State v. Foreman.

Seneca App. No. 13-19-01, 2020-Ohio-3145.

O'Connor, C.J., and Fischer, J., dissent.

APPEALS NOT ACCEPTED FOR REVIEW

2020-0529. State v. Williams.

Richland App. No. 2019 CA 00083, 2020-Ohio-77.

2020-0756. Ohio Dept. of Medicaid v. French.

Darke App. No. 2019-CA-4, 2020-Ohio-2744.

Kennedy, French, and Fischer, JJ., dissent.

2020-0787. In re B.D.

Franklin App. No. 18AP-993, 2020-Ohio-361.

Kennedy, J., dissents.

Stewart, J., dissents and would accept the appeal on proposition of law Nos. I and II.

French, J., not participating.

2020-0790. State v. McRae.

Hamilton App. No. C-180669, 2020-Ohio-773.

2020-0807. State v. Mathis.

Lucas App. No. L-18-1192, 2020-Ohio-3068.

French, J., dissents.

2020-0833. State v. Webb.

Erie App. No. E-18-056, 2020-Ohio-3132.

2020-0839. State ex rel. Yost v. Osborne Co., Ltd.

Lake App. No. 2019-L-003, 2020-Ohio-3090.

Kennedy and Fischer, JJ., dissent.

2020-0840. State v. Estep.

Seneca App. No. 13-19-39.

DeWine, J., dissents and would hold the cause for the decision in 2020-0544 and 2020-0625, *State v. Hubbard*.

Stewart, J., dissents and would appoint counsel.

2020-0841. State v. Perkins.

Seneca App. Nos. 13-19-46 and 13-19-47, 2020-Ohio-2888.

2020-0842. State v. Shields.

Montgomery App. No. 28573, 2020-Ohio-3204.

French and Stewart, JJ., dissent.

2020-0854. Lakeview Loan Servicing, L.L.C. v. Hurd.

Mahoning App. No. 19 MA 0017, 2020-Ohio-3163.

2020-0862. Stephens v. Dow Chem. Co.

Cuyahoga App. No. 109722.

Kennedy, J., dissents.

2020-0867. In re N.D.

Montgomery App. No. CA 28687, 2020-Ohio-3203.

2020-0870. State v. Turnbull.

Richland App. No. 2019 CA 0012.

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

2020-0873. State v. Kimbrough.

Cuyahoga App. Nos. 108172 and 108173, 2020-Ohio-3175.

French and Donnelly, JJ., dissent.

2020-0874. Tassone v. Tassone.

Franklin App. No. 19AP-382, 2020-Ohio-3151. Appellant's motion for emergency stay of trial-court proceedings denied.

O'Connor, C.J., would deny the motion as moot.

2020-0875. State v. Blackshear.

Cuyahoga App. No. 108916, 2020-Ohio-3187.

Kennedy, J., dissents.

2020-0877. Messenger v. State.

Marion App. No. 9-19-92.

2020-0878. State v. Penn.

Summit App. No. 29296, 2020-Ohio-3158.

Kennedy and Donnelly, JJ., dissent.

2020-0880. State v. Andrews.

Cuyahoga App. No. 108285, 2020-Ohio-3176.

French, J., dissents.

Donnelly and Stewart, JJ., dissent and would accept the appeal on proposition of law No. III.

2020-0884. Young v. Kaufman.

Cuyahoga App. Nos. 105359 and 108719, 2020-Ohio-3283.

Fischer and Donnelly, JJ., dissent.

2020-0903. Harper v. Ventra Sandusky, L.L.C.

Erie App. No. E-19-056, 2020-Ohio-3490.

2020-0913. State v. Richardson.

Cuyahoga App. Nos. 109734 and 109735.

Donnelly, J., dissents and would accept the appeal on proposition of law Nos. IV through VI.

2020-0933. State v. Figuero.

Cuyahoga App. No. 108738, 2020-Ohio-2829.

2020-0939. Clough v. Watkins.

Washington App. No. 19CA20, 2020-Ohio-3446.

2020-0942. Watkins v. Allstate Vehicle & Property Ins. Co.

Lucas App. No. L-19-1235, 2020-Ohio-3397.

Kennedy, J., dissents and would accept the appeal on proposition of law Nos. II and III.

2020-0947. State v. Noteboom.

Richland App. No. 2019 CA 0026, 2020-Ohio-1223.

2020-0956. State v. T.L.

Franklin App. No. 19AP-196, 2020-Ohio-3430.

Donnelly, J., dissents.

French, J., not participating.

2020-0982. State v. Smith.

Cuyahoga App. No. 108708, 2020-Ohio-3454.

Donnelly, J., dissents.

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

2020-1004. State v. Cannon.

Lorain App. No. 19CA011536, 2020-Ohio-3765.

2020-1006. State v. Jackson.

Franklin App. No. 20AP-16, 2020-Ohio-3783.

2020-1008. State v. Atkinson.

Lorain App. No. 19CA011481, 2020-Ohio-3522.
Kennedy, J., dissents.

2020-1024. State v. Sager.

Hamilton App. Nos. C-190416 and C-190417.
Donnelly, J., dissents.
Fischer, J., not participating.

RECONSIDERATION OF PRIOR DECISIONS

2016-1006. State v. Madison.

Cuyahoga C.P. No. CR-13-579539-A. Reported at __ Ohio St.3d __, 2020-Ohio-3735, __ N.E.3d __. On motion for reconsideration. Motion denied.

2020-0366. Bank of New York Mellon v. Ackerman.

Miscellaneous case. Reported at 159 Ohio St.3d 1425, 2020-Ohio-3473, 148 N.E.3d 564. On motion for reconsideration. Motion denied.

2020-0421. State v. Bandy.

Cuyahoga App. No. 108676, 2020-Ohio-808. Reported at 159 Ohio St.3d 1445, 2020-Ohio-3712, 149 N.E.3d 517. On motion for reconsideration. Motion denied.
Stewart, J., not participating.

2020-0513. State ex rel. Horsley v. Corcoran.

In Mandamus. Reported at 159 Ohio St.3d 1449, 2020-Ohio-3713, 149 N.E.3d 534. On motion for reconsideration. Motion denied.

2020-0572. State v. Castagnola.

Summit App. No. 29250, 2020-Ohio-1096. Reported at 159 Ohio St.3d 1446, 2020-Ohio-3712, 149 N.E.3d 520. On motion for reconsideration. Motion denied.
Fischer, Donnelly, and Stewart, JJ., dissent.

2020-0580. Danziger v. Rieman.

Sandusky App. No. S-19-021, 2020-Ohio-216. Reported at 159 Ohio St.3d 1446, 2020-Ohio-3712, 149 N.E.3d 519. On motion for reconsideration. Motion denied.