

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

March 3, 2020

[Cite as *03/03/2020 Case Announcements*, 2020-Ohio-647.]

MERIT DECISIONS WITHOUT OPINIONS

2020-0117. [Khamisi v. Neal.](#)

In Habeas Corpus. Sua sponte, cause dismissed.

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

Fischer, J., not participating.

2020-0118. [Khamisi v. Neal.](#)

In Habeas Corpus. Sua sponte, cause dismissed.

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

Fischer, J., not participating.

MOTION AND PROCEDURAL RULINGS

2020-0010. [State v. Lorton.](#)

Mercer App. No. 10-19-19. On motion for leave to file delayed appeal. Motion denied.

French, Fischer, and Donnelly, JJ., dissent.

2020-0016. State v. Jones.

Clark App. No. 2018-CA-18, 2019-Ohio-239. On motion for leave to file delayed appeal. Motion denied. Appellant's motion for preparation of complete transcript of proceedings at state expense denied.

French, J., would deny the motion for preparation of complete transcript as moot.

Stewart, J., dissents and would grant the motion for delayed appeal.

2020-0055. State v. Brown.

Stark App. No. 2018CA00107, 2019-Ohio-2187. On motion for leave to file delayed appeal. Motion denied.

2020-0056. State v. McClanahan.

Clark App. No. 2018-CA-78, 2019-Ohio-1802. On motion for leave to file delayed appeal. Motion denied.

2020-0063. State v. Vigil.

Cuyahoga App. No. 103940, 2016-Ohio-7485. On motion for leave to file delayed appeal. Motion denied.

2020-0075. State v. Robinson.

Franklin App. No. 17AP-853, 2019-Ohio-558. On motion for leave to file delayed appeal. Motion denied.

APPEALS ACCEPTED FOR REVIEW

2019-1588. State v. Diehl.

Wood App. No. WD-18-041, 2019-Ohio-3818. Cause held for the decision in 2018-0376, *State v. Howard*.

French, Donnelly, and Stewart, JJ., would not hold the cause.

2020-0059. State v. Szarell.

Licking App. No. 2019 CA 00028, 2019-Ohio-5175. Cause remanded to trial court for application of *State v. Davis*, __ Ohio St.3d __, 2020-Ohio-309, __ N.E.3d __.

Kennedy and DeWine, JJ., dissent.

APPEALS NOT ACCEPTED FOR REVIEW

2019-1317. Univ. Hts. v. Allen.

Cuyahoga App. No. 107211, 2019-Ohio-2908.

Kennedy, J., dissents.

2019-1576. Warner v. Palmer.

Belmont App. No. 18 BE 0012, 2019-Ohio-4078. Appeal and cross-appeal not accepted.

Kennedy, J., dissents.

DeWine and Stewart, JJ., dissent and would hold the cause for the decision in 2019-1494, *West v. Bode*.

2019-1701. State v. Ervin.

Highland App. No. 19CA7, 2019-Ohio-4708.

2019-1707. State v. Hillman.

Franklin App. Nos. 18AP-696 and 18AP-699. Appellant's motion in response to memorandum opposing jurisdiction denied.

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

2019-1713. State v. Rucker.

Hamilton App. No. C-180606, 2019-Ohio-4490.

DeWine, J., dissents.

Fischer, J., not participating.

2019-1715. Lemasters v. Lemasters.

Madison App. No. CA2018-06-018, 2019-Ohio-4395. Appellant's motion for ex parte custody and motion to supplement record with new/additional information denied.

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

2019-1716. State v. Bumgardner.

Greene App. No. 2019CA0051.

2019-1717. State v. Bumgardner.

Greene App. No. 2019CA0056.

2019-1718. Doran v. Doran.

Hamilton App. No. C-1800450. Appellants’ “motion for leave to correct misstatements of appellees” denied.

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

2019-1719. Pietrangelo v. Hudson.

Cuyahoga App. No. 107344, 2019-Ohio-1988. Appellant’s motion to strike denied.

Kennedy, J., dissents and would accept the appeal.

2019-1729. State v. Cook.

Gallia App. No. 18CA11, 2019-Ohio-4745.

2019-1731. Grgat v. Giant Eagle, Inc.

Cuyahoga App. No. 108177, 2019-Ohio-4582.

2019-1737. State v. Little.

Hamilton App. No. C-180523, 2019-Ohio-4488.

2019-1745. Children’s Hosp. Med. Ctr. of Akron v. Colopy.

Summit App. No. CA-29488.

2019-1749. State v. Tepfenhart.

Clark App. No. 2018-CA-130, 2019-Ohio-4599.

2019-1754. State v. Davis.

Allen App. Nos. 01-17-44 and 01-17-45.

2019-1755. Internatl. Total Servs., Inc. v. Estate of Nichols.

Cuyahoga App. No. 107751, 2019-Ohio-4572.

Kennedy, J., dissents.

2019-1759. State v. Kozic.

Mahoning App. No. 18MA0083.

2019-1760. State v. Taylor.

Allen App. No. 1-19-53.

2019-1764. State v. Dorsey.

Scioto App. No. 19CA3874, 2019-Ohio-3478.

2019-1768. State v. Gales.

Summit App. No. 29316.

2019-1773. Chojnacki v. Mohr.

Lorain App. No. 18CA011443, 2019-Ohio-4622.

Donnelly, J., dissents.

2019-1774. State v. Allen.

Montgomery App. No. 28266, 2019-Ohio-4594.

2019-1778. Ray v. Warren.

Trumbull App. No. 2019-T-0006, 2019-Ohio-4654.

2019-1782. In re Guardianship of Griffith.

Hardin App. No. 06-19-11.

2019-1784. Williams v. McClain.

Montgomery App. No. 28475, 2019-Ohio-4802.

2019-1793. State v. Gutierrez.

Wayne App. No. 18AP0043, 2019-Ohio-4626.

2019-1795. State v. Phillips.

Mahoning App. No. 18 MA 0141, 2019-Ohio-4917.

2019-1798. State v. Carpenter.

Butler App. No. CA2019-03-044, 2019-Ohio-4829.

2019-1800. State v. Smith.

Greene App. No. 2019-CA-16, 2019-Ohio-4706.

2019-1819. State v. Lopez-Tolentino.

Franklin App. No. 19AP-280, 2019-Ohio-4778.

French, J., not participating.

2020-0011. State v. Scullin.

Cuyahoga App. No. 107866, 2019-Ohio-3186.

2020-0013. State v. Medford.

Montgomery App. No. 28281, 2019-Ohio-4800.

2020-0014. State v. Williams.

Cuyahoga App. No. 106266, 2018-Ohio-3368.

2020-0018. State v. Savage.

Hamilton App. No. C-180413, 2019-Ohio-4859.

2020-0021. State v. Chafin.

Franklin App. No. 19AP-758.

2020-0040. State v. Truckey.

Ashtabula App. No. 2019-A-0040, 2019-Ohio-4836.

2020-0045. State v. Curley.

Summit App. No. 29584.

2020-0047. State v. Heller.

Lorain App. No. 18CA011304, 2019-Ohio-4722.

2020-0048. State v. Campbell.

Cuyahoga App. No. 105622, 2018-Ohio-1639.

Donnelly, J., dissents.

2020-0052. State v. Elkins.

Franklin App. No. 19AP-728.

2020-0085. State v. Elder.

Butler App. No. CA2013-01-008, 2013-Ohio-3574.

2020-0102. State v. D.M.

Franklin App. No. 19AP-512, 2019-Ohio-5086.

French, J., not participating.

RECONSIDERATION OF PRIOR DECISIONS

2019-1325. In re R.B.

Hamilton App. Nos. C-170622 and C-170623, 2019-Ohio-3298. Reported at 157 Ohio St.3d 1523, 2019-Ohio-5327, 137 N.E.3d 102. On motion for reconsideration. Motion fails for want of four votes.

French, Donnelly, and Stewart, JJ., would grant the motion.

Fischer, J., not participating.

2019-1361. State ex rel. Jones v. Hamilton Cty. Court of Common Pleas.

In Mandamus and Prohibition. Reported at 157 Ohio St.3d 1517, 2019-Ohio-5289, 136 N.E.3d 520. On motion for reconsideration. Motion denied.

Fischer, J., not participating.

2019-1368. Torres v. Concrete Designs, Inc.

Cuyahoga App. Nos. 105833 and 106493, 2019-Ohio-1342. Reported at 157 Ohio St.3d 1528, 2020-Ohio-15, 137 N.E.3d 115. On motion for reconsideration. Motion denied.

Donnelly, J., dissents.

Stewart, J., not participating.

2019-1372. S.E.J. v. C.S.J.

Cuyahoga App. No. 107576, 2019-Ohio-3274. Reported at 157 Ohio St.3d 1523, 2020-Ohio-5327, 137 N.E.3d 103. On motion for reconsideration. Motion denied.

2019-1409. State ex rel. Israfil v. Craig.

In Mandamus. Reported at 157 Ohio St.3d 1518, 2019-Ohio-5289, 136 N.E.3d 521. On motion for reconsideration. Motion denied. Relator's motion for court order of respondents to file withheld records denied.