

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

March 11, 2020

[Cite as *03/11/2020 Case Announcements, 2020-Ohio-748.*]

MERIT DECISIONS WITH OPINIONS

2018-1008. Columbus Bituminous Concrete Corp. v. Harrison Twp. Bd. of Zoning Appeals, Slip Opinion No. 2020-Ohio-845.

Pickaway App. No. 17CA15, 2018-Ohio-2706. Judgment reversed and cause remanded.

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

2019-1030. Moore v. Wainwright, Slip Opinion No. 2020-Ohio-846.

Marion App. No. 9-19-18. Judgment affirmed.

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

2019-1371. Disciplinary Counsel v. Hoague, Slip Opinion No. 2020-Ohio-847.

On Certified Report by the Board of Professional Conduct, No. 2019-017. Michael Christopher Hoague, Attorney Registration No. 0024771, last known business address in Hilliard, Ohio, suspended from the practice of law for two years, with no credit for the time he served under the interim felony suspension imposed on December 12, 2017.

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

Kennedy, J., concurs in judgment only.

French, DeWine, and Donnelly, JJ., concur in part and dissent in part and would grant credit for the time served under the interim felony suspension.

MERIT DECISIONS WITHOUT OPINIONS

2019-1702. Upchurch v. Ninth Dist. Court of Appeals.

In Prohibition. On motions to dismiss of respondents Judge Thomas J. Elwell and Ninth District Court of Appeals. Motions granted. Judge Elwell's motion for leave to amend case caption on motion to dismiss granted. Cause dismissed.

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

2019-1744. State ex rel. Knuckles v. Ninth Dist. Court of Appeals Judges.

In Mandamus. On respondents' motion to dismiss. Motion granted. Cause dismissed.

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

2019-1770. Napolitan v. Delaware Soil & Water Conservation Dist.

In Mandamus. On respondent's motion to dismiss. Motion granted. Relator's motion to amend verified complaint for writ of mandamus denied. Cause dismissed.

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

2019-1781. State ex rel. Wilson v. Dinkelacker.

In Mandamus. On respondent's motion to dismiss. Motion granted. Cause dismissed.

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

Fischer, J., not participating.

2019-1797. State ex rel. Rodriquez v. Schmenk.

In Mandamus. On respondent's motion to dismiss. Motion granted. Cause dismissed.

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

2019-1806. Johnson v. Goulding.

In Procedendo. On respondent's motion to dismiss. Motion granted. Cause dismissed.

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

2020-0026. State ex rel. Jackson v. Phipps.

In Mandamus. On respondent's motion to dismiss. Motion granted. Relator's motion for appointment of counsel denied. Cause dismissed.

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

2020-0033. State ex rel. Sands v. Culotta.

In Mandamus. On respondents' motion to dismiss. Motion granted. Relator's motion for default denied. Cause dismissed.

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

MOTION AND PROCEDURAL RULINGS

2019-0669. Johnson v. State.

In Habeas Corpus. On petitioner's motion for reconsideration (filed as "memorandum in jurisdiction discretionary appeal on habeas corpus complaint"). Motion denied.

2019-1655. Burns v. Shoop.

Ross App. No. 19CA3691. On appellant's response to show-cause order. Appeal dismissed for lack of jurisdiction.

2019-1666. State ex rel. LeMaster v. Meigs Cty. Court of Common Pleas.

Meigs App. No. 19CA7. On appellee's motion to dismiss. Motion denied.

2020-0082. U.S. Bank Natl. Assn. v. Conrad.

Montgomery App. No. 28432, 2019-Ohio-4104. On appellant's motion for stay. Motion denied.

2020-0083. U.S. Bank Natl. Assn. v. Conrad.

Montgomery App. No. 28375, 2019-Ohio-4103. On appellant's motion for stay. Motion denied.

2020-0089. Horsley v. Ohio Dept. of Job & Family Servs.

Scioto App. No. 18CA3860, 2019-Ohio-3553. On appellant's motion for stay of court of appeals' judgment. Motion denied.

Stewart, J., dissents.

2020-0149. Deutsche Bank Natl. Trust Co. v. Omar.

Summit App. No. 29300, 2019-Ohio-5224. On appellant's motion for stay. Motion denied.

Fischer, Donnelly, and Stewart, JJ., dissent.

2020-0161. State v. Cincinnati Citizen Complaint Auth.

Hamilton App. Nos. C-180509 and C-180510, 2019-Ohio-5349. On appellant's amended motion for stay of court of appeals' judgment. Motion granted.

Donnelly, J., dissents.

Fischer and DeWine, JJ., not participating.

2020-0170. PHH Mtge. Corp. v. Barker.

Van Wert App. No. 15-19-01, 2019-Ohio-5301. On appellants' motion to stay court of appeals' judgment without bond pending appeal. Motion denied.

Stewart, J., dissents.

2020-0191. State ex rel. Ohio History Connection v. Moundbuilders Country Club Co.

Licking App. No. 2019 CA 00039, 2020-Ohio-276. On appellant's motion for stay of court of appeals' judgment. Motion granted.

APPEALS ACCEPTED FOR REVIEW

2019-1769. State v. Simpson.

Butler App. No. CA2018-06-0121. Appeal accepted on proposition of law No. I.

Kennedy and DeWine, JJ., dissent.

APPEALS NOT ACCEPTED FOR REVIEW

2019-1732. State v. Wiesenborn.

Montgomery App. No. 28224, 2019-Ohio-4487.

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

Donnelly and Stewart, JJ., dissent.

2019-1748. State v. Strowder.

Cuyahoga App. No. 107855, 2019-Ohio-4573.

Donnelly and Stewart, JJ., dissent.

RECONSIDERATION OF PRIOR DECISIONS

2019-1197. Meadows v. Jackson Ridge Rehab. & Care.

Stark App. No. 2018 CA 00184, 2019-Ohio-2879. Reported at 157 Ohio St.3d 1541, 2020-Ohio-144, 137 N.E.3d 1192. On motion for reconsideration. Motion denied.