

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

February 10, 2021

[Cite as *02/10/2021 Case Announcements, 2021-Ohio-303.*]

MERIT DECISIONS WITHOUT OPINIONS

2020-1121. State ex rel. Hicks v. Fraley.

In Mandamus. Sua sponte, alternative writ granted. The following schedule is set for the presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 12.05: The parties shall file any evidence they intend to present within 20 days, relator shall file a brief within 10 days after the filing of the evidence, respondent shall file a brief within 20 days after the filing of relator's brief, and relator may file a reply brief within 7 days after the filing of respondent's brief. Respondent ordered to file the August 5, 2004 opinion letter under seal for in camera inspection.

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

2020-1159. State ex rel. Wood v. Rocky River.

In Mandamus. On relators' motion to expedite. Motion denied. Relators' motion for a peremptory writ denied. Respondents' joint motion to dismiss denied. Relators' objections and/or motion to strike motion to dismiss denied.

Sua sponte, alternative writ granted. The following schedule is set for the presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 12.05: The parties shall file any evidence they intend to present within 20 days, relators shall file a brief within 10 days after the filing of the evidence, respondents shall file a brief within 20 days after the filing of relators' brief, and relators may file a reply brief within 7 days after the filing of respondents' brief.

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

2020-1216. State ex rel. Ferrell v. Tone.

In Mandamus. On respondent's motion to dismiss. Motion denied. Sua sponte, alternative writ granted. The following schedule is set for the presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 12.05: The parties shall file any evidence they intend to present within 20 days, relator shall file a brief within 10 days after the filing of the evidence, respondent shall file a brief within 20 days after the filing of relator's brief, and relator may file a reply brief within 7 days after the filing of respondent's brief.

Kennedy, Fischer, Stewart, and Brunner, JJ., concur.

O'Connor, C.J., and DeWine and Donnelly, JJ., dissent and would dismiss the complaint for lack of a clear legal right and a clear legal duty.

2020-1399. Stalnaker v. Tedosio.

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

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

2020-1413. State ex rel. Wright v. McCarty.

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

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

2020-1425. State ex rel. Wells v. Dept. of Rehab. & Corr.

In Mandamus. On respondent's motion to dismiss. Motion granted on the authority of *State v. Ware*, 141 Ohio St.3d 160, 2014-Ohio-5201, 22 N.E.3d 1082. Cause dismissed.

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

2020-1435. State ex rel. Parker Bey v. Davis.

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

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

2020-1448. El Bey v. Heath.

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

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

2020-1465. State ex rel. Ames v. Pokorny.

In Procedendo. Sua sponte, alternative writ granted. The following schedule is set for the presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 12.05: The parties shall file any evidence they intend to present within 20 days, relator shall file a brief within 10 days after the filing of the evidence, respondent shall file a brief within 20 days after the filing of relator's brief, and relator may file a reply brief within 7 days after the filing of respondent's brief. The cause is moot with respect to Portage C.P. No. 2019CV0808 because respondent has dismissed that case; the parties' briefs filed pursuant to the alternative writ shall address whether relator's other three cases have been dismissed.

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

APPEALS NOT ACCEPTED FOR REVIEW

2020-1414. State v. Gillispie.

Montgomery App. No. 28771.

Fischer, J., dissents.