

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

September 24, 2021

[Cite as *09/24/2021 Case Announcements #2*, 2021-Ohio-3367.]

MERIT DECISIONS WITHOUT OPINIONS

2021-1146. [Simmons v. Black.](#)

In Habeas Corpus. Sua sponte, writ allowed. Allowing the writ means only that a return is ordered. *See Reed v. Kinkela*, 84 Ohio St.3d 1427, 702 N.E.2d 903 (1998); *Hernandez v. Kelly*, 107 Ohio St.3d 1430, 2005-Ohio-6400, 838 N.E.2d 670. Respondent shall file a return of writ within 21 days of the date of service of the petition, and petitioner may file a response within 10 days after the return is filed. Petitioner's physical presence before the court is not required.

DeWine, J., dissents and would dismiss the petition.