

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

August 2, 2022

[Cite as *08/02/2022 Case Announcements, 2022-Ohio-2633.*]

MERIT DECISIONS WITHOUT OPINIONS

2022-0710. Wilcox v. State.

In Habeas Corpus. Sua sponte, cause dismissed.

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

2022-0767. State v. Defendant.

In Habeas Corpus. Sua sponte, cause dismissed.

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

2022-0780. McKenna v. Coury.

In Habeas Corpus. Sua sponte, cause dismissed.

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

2022-0785. State ex rel. Roberts v. Sheldon.

In Habeas Corpus. On petition for writ of habeas corpus of Mallon Roberts. Sua sponte, cause dismissed.

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

Fischer, J., not participating.

2022-0842. Williams v. Huss.

In Habeas Corpus. Sua sponte, cause dismissed.

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

MOTION AND PROCEDURAL RULINGS

2022-0657. State v. Wade.

Franklin App. No. 21AP-155. On motion for leave to file delayed appeal. Motion denied.

Fischer and Donnelly, JJ., dissent.

2022-0731. State v. Brown.

Stark App. No. 2021CA00106, [2022-Ohio-981](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

APPEALS ACCEPTED FOR REVIEW

2022-0573. Hanneman Family Funeral Home & Crematorium v. Orians.

Allen App. No. 1-21-05, [2022-Ohio-984](#). Appeal and cross-appeal accepted.

O'Connor, C.J., and Donnelly and Brunner, JJ., dissent.

2022-0577. State v. Davis.

Cuyahoga App. No. 109359, [2022-Ohio-1056](#). Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

2022-0595. Scott Fetzer Co. v. Am. Home Assur. Co., Inc.

Cuyahoga App. No. 110428, [2022-Ohio-1062](#).

O'Connor, C.J., and DeWine and Donnelly, JJ., dissent.

2022-0596. Wildcat Drilling, L.L.C. v. Discovery Oil & Gas, L.L.C.

Mahoning App. No. 21 MA 0070, [2022-Ohio-1125](#). Appeal accepted on proposition of law No. I.

Kennedy and DeWine, JJ., would accept the appeal on both propositions of law.

O'Connor, C.J., and Donnelly and Stewart, JJ., dissent.

2022-0613. State v. Parker.

Cuyahoga App. No. 109494, [2022-Ohio-1164](#). Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

2022-0621. State v. Byrd.

Cuyahoga App. No. 110451, [2022-Ohio-1168](#). Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

2022-0622. State v. Daniel.

Cuyahoga App. No. 109583, [2022-Ohio-1165](#). Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

2022-0623. State v. Cloud.

Cuyahoga App. No. 110774, [2022-Ohio-1174](#). Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

2022-0648. State v. Thomas.

Cuyahoga App. No. 110800, [2022-Ohio-1241](#). Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

2022-0650. State v. Turner.

Cuyahoga App. No. 110797, [2022-Ohio-1240](#). Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

2022-0651. State v. Riemer.

Cuyahoga App. No. 110308, [2022-Ohio-1230](#). Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

APPEALS NOT ACCEPTED FOR REVIEW

2022-0257. State v. Reeder.

Allen App. Nos. 1-21-08, 1-21-09, and 1-21-10, [2021-Ohio-4558](#).

2022-0564. State v. Kline.

Champaign App. No. 2021-CA-31, [2022-Ohio-720](#).

2022-0568. U.S. Natl. Assn. v. Smith.

Mahoning App. No. 20 MA 0061, [2022-Ohio-2079](#).

Brunner, J., not participating.

2022-0569. State v. Harris.

Hamilton App. No. C-210391, [2022-Ohio-1021](#).

DeWine, J., not participating.

2022-0570. State v. Bowen.

Licking App. No. 21CA0106.

2022-0575. RRL Holding Co. of Ohio, L.L.C. v. Stewart.

Franklin App. No. 20AP-493, [2021-Ohio-3989](#).

Brunner, J., not participating.

2022-0579. Hamm v. Lorain Coal & Dock Co.

Belmont App. No. 20 BE 0028, [2022-Ohio-1048](#).

Fischer, J., dissents.

2022-0585. Bates v. Bates.

Noble App. No. 21 NO 0482, [2022-Ohio-1055](#).

Kennedy, J., dissents.

2022-0586. Tassone v. Tassone.

Franklin App. No. 21AP-33.

2022-0589. Huntington Natl. Bank v. Slodov.

Cuyahoga App. Nos. 110113 and 111421.

2022-0597. Gauthier v. Gauthier.

Hamilton App. No. C-210239, [2022-Ohio-541](#). Appellees' motion to dismiss denied as moot.

Fischer and DeWine, JJ., not participating.

2022-0598. Helton v. Fifth Third Bank.

Hamilton App. No. C-210451, [2022-Ohio-1023](#).

Fischer and DeWine, JJ., not participating.

2022-0599. Jones v. Dlugos.

Cuyahoga App. No. 110915, [2022-Ohio-1076](#).

2022-0608. State v. Rutan.

Franklin App. No. 22AP-202.

2022-0615. State v. Fecko.

Trumbull App. No. 2021-T-0021, [2022-Ohio-1277](#).

2022-0620. State v. McDuffie.

Marion App. No. 9-19-82, [2020-Ohio-5466](#).

2022-0624. In re R.L.

Richland App. Nos. 2021 CA 0071 and 2021 CA 0070, [2022-Ohio-1179](#).

Brunner, J., dissents.

2022-0641. Israfil v. Mgt. & Training Corp.

Marion App. No. 9-21-31, [2022-Ohio-1270](#).

DeWine, Donnelly, and Brunner, JJ., dissent.

2022-0656. McClendon v. Cuyahoga Cty. Sheriff's Office.

Cuyahoga App. No. 110863, [2022-Ohio-1589](#). Appellant's request for leave to attach supporting documents denied as moot. Appellee's motion to strike appellant's request denied as moot.

O'Connor, C.J., would deny appellant's request and would grant appellee's motion.

Kennedy and Donnelly, JJ., would deny appellant's request.

2022-0668. In re Guardianship of E.M.

Sandusky App. No. S-21-011, [2022-Ohio-862](#). Appeal and cross-appeal not accepted.

Fischer and Stewart, JJ., dissent.

2022-0671. State v. Evenson.

Hamilton App. Nos. C-210372 and C-210373, [2022-Ohio-1336](#).

DeWine, J., not participating.

2022-0674. State v. Russell.

Franklin App. No. 03AP-666, [2004-Ohio-2501](#).

2022-0687. State v. Hampton.

Hamilton App. No. C-210423, [2022-Ohio-1380](#).

DeWine, J., not participating.

2022-0694. In re D.A.

Defiance App. No. 4-21-15, [2022-Ohio-1359](#).
Brunner, J., dissents.

2022-0697. State v. Jackson.

Montgomery App. No. 29226, [2022-Ohio-1522](#).

2022-0720. State v. Villareal.

Franklin App. No. 21AP-588, [2022-Ohio-1473](#).

2022-0735. State v. Workman.

Auglaize App. No. 2-22-13.

2022-0737. State v. Workman.

Auglaize App. No. 2-22-11.

2022-0746. State v. Banks.

Lake App. No. 2021-L-130, [2022-Ohio-1463](#).

2022-0761. State v. Donlow.

Mahoning App. No. 21 MA 0046, [2022-Ohio-1518](#).

RECONSIDERATION OF PRIOR DECISIONS

2021-0533. In re J.H.

Cuyahoga App. No. 109332. Reported at ___ Ohio St.3d ___, [2022-Ohio-1767](#), ___ N.E.3d ___. On motion for reconsideration. Motion denied.

2021-0725. State ex rel. Mobley v. Ohio Dept. of Rehab. & Corr.

In Mandamus. Reported at ___ Ohio St.3d ___, [2022-Ohio-1765](#), ___ N.E.3d ___. On motion for reconsideration. Motion denied.

2021-1032. Lundeen v. Turner.

Cuyahoga App. No. 109240, [2020-Ohio-274](#). Reported at ___ Ohio St.3d ___, [2022-Ohio-1709](#), ___ N.E.3d ___. On motion for reconsideration. Motion denied.

Brunner, J., not participating.

2021-1055. State ex rel. Parker v. Black.

Richland App. No. 2021 CA 0038, [2021-Ohio-2739](#). Reported at __ Ohio St.3d __, 2022-Ohio-1730, __ N.E.3d __. On motion for reconsideration. Motion denied.

2021-1206. State ex rel. White v. Aveni.

Franklin App. No. 21AP-103, [2021-Ohio-3159](#). Reported at __ Ohio St.3d __, 2022-Ohio-1755, __ N.E.3d __. On appellant's "motion to correct a clerical error in the court's June 1, 2022 decision." Motion fails for want of four votes. Motion for reconsideration denied.

Donnelly, Stewart, and Brunner, JJ., would grant the motion to correct a clerical error.

Fischer, J., not participating.

2021-1386. Jabbar v. Nagel.

In Mandamus and Prohibition. Reported at 166 Ohio St.3d 1511, 2022-Ohio-1652, 187 N.E.3d 566. On motion for reconsideration. Motion denied.

2022-0240. State ex rel. Peaspanen v. Ashtabula Cty. Auditor's Office

Ashtabula App. No. 2020-A-0052, [2022-Ohio-166](#). Reported at 166 Ohio St.3d 1506, 2022-Ohio-1640, 187 N.E.3d 554. On motion for reconsideration. Motion denied. Appellee Judi Peaspanen's motion to strike Ashtabula County appellees' opposition to appellant's motion for reconsideration denied.

2022-0247. Myles v. Ohio Atty. Gen.

Franklin App. No. 21AP-464. Reported at 166 Ohio St.3d 1509, 2022-Ohio-1687, 187 N.E.3d 566. On motion for reconsideration. Motion denied.

2022-0280. In re S.A.

Muskingum App. No. CT2021-0034, [2022-Ohio-265](#). Reported at 166 Ohio St.3d 1510, 2022-Ohio-1687, 187 N.E.3d 563. On motion for reconsideration. Motion denied.

2022-0319. Miller v. Ohio Dept. of Health.

Franklin App. No. 21AP-267, [2022-Ohio-357](#). Reported at 166 Ohio St.3d 1533, 2022-Ohio-1922, 188 N.E.3d 207. On motion for reconsideration. Motion denied.

Kennedy, Donnelly, and Stewart, JJ., dissent.

Sean C. Gallagher, J., of the Eighth District Court of Appeals, sitting for Fischer, J.