

**R E L E A S E**

**MARCH 8, 2002**

**ASHTABULA**

2001-A-0087 LAWRENCE COLLIER, Petitioner v. RICH GANSHEIMER, WARDEN, LAKE ERIE CORRECTIONAL INSTITUTION, Respondent.

Judgment entered in favor of Respondent as to habeas corpus petition. See *Per Curiam* Opinion and Judgment Entry. (O'NEILL) (CHRISTLEY) (NADER)

**EXTRAORDINARY WRIT:**

A claim in habeas corpus cannot be predicated upon the allegation that the trial judge lacked the authority to sentence the defendant because a three-judge panel should have been used to accept the defendant's guilty plea to the charge of aggravated murder. The failure to use a three-judge panel will render the subsequent judgment voidable, not void.

**LAKE**

2001-L-076 STATE OF OHIO, Plaintiff-Appellee v. JACOB CADIOU, Defendant-Appellant.

This Court, *sua sponte*, dismisses the above-captioned appeal for failure to prosecute. See Judgment Entry.

2001-L-224 and

2001-L-225 JAY D. HART, Plaintiff-Appellee v. NICHOLAS PRODONOVICH, Defendant-Appellant.

This Court dismisses the above-captioned appeals for failure to prosecute. See Judgment Entry.

**PORTAGE**

2001-P-0027 MELINDA ANN McDANIEL LAMB, Plaintiff-Appellee v. LARRY R. LAMB, Defendant-Appellant.

Judgment affirmed in part; reversed in part and remanded. See Opinion and Judgment Entry. [CHRISTLEY] (FORD) (GRENDALL)

**DOMESTIC RELATIONS/PROPERTY:**

In determining the value of marital property, the trial court must have before it sufficient evidence to justify or support the dollar figure it obtained.

2001-P-0106 STATE ex rel. ROOTSTOWN WATER SERVICE COMPANY, Relator v. PORTAGE COUNTY AND ITS BOARD OF COMMISSIONERS, et al., Respondents.

Petition dismissed. See Judgement Entry.

2001-P-0150 STATE OF OHIO, Plaintiff-Appellee v. BRIAN T. McGEE, Defendant-Appellant.

Appeal dismissed. See Memorandum Opinion and Judgment Entry. [O'NEILL] (FORD) (CHRISTLEY)

**APPELLATE PROCEDURE:**

A criminal judgment that merely refers the matter to the Adult Probation Department for a presentence investigation and report is not a final appealable order since the Defendant has yet to be sentenced.

2002-P-0006 STATE ex rel. CHRISTINE BRACKEN, Relator v. CITY OF STREETSBORO, et al., Respondents.

Upon the request of the Relator, the Petition for Writ of Mandamus is hereby dismissed. See Judgment Entry.

**TRUMBULL**

2001-T-0144 WAYNE REINHART, Appellant v. C. JAMES CONRAD, ADMINISTRATOR, et al., Appellees.

Appeal dismissed. See Memorandum Opinion and Judgment Entry. [O'NEILL] (FORD) (CHRISTLEY)

**APPELLATE REVIEW:**

The dismissal of a case without prejudice is not a final appealable order.