

[Cite as *Cleveland v. Destiny Ventures, L.L.C.*, 2010-Ohio-3056.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 91018

CITY OF CLEVELAND

PLAINTIFF-APPELLEE

vs.

DESTINY VENTURES, LLC

DEFENDANT-APPELLANT

**JUDGMENT:
REVERSED AND REMANDED**

Criminal Appeal from the
Cleveland Municipal Court
Case No. 2007 CRB 42411

BEFORE: Cooney, P.J., Rocco, J., and Jones, J.

RELEASED: July 1, 2010

JOURNALIZED:

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N.B. This entry is an announcement of the court's decision. See App.R. 22(B) and 26(A); Loc.App.R. 22. This decision will be journalized and will become the judgment and order of the court pursuant to App.R. 22(C) unless a motion for reconsideration with supporting brief per App.R. 26(A), or a motion for consideration en banc with supporting brief per Loc.App.R. 25.1(B)(2), is filed within ten days of the announcement of the court's decision. The time period for review by the Supreme Court of Ohio shall begin to run upon the journalization of this court's announcement of decision by the clerk per App.R. 22(C). See, also, S.Ct. Prac.R. 2.2(A)(1).

COLLEEN CONWAY COONEY, P.J.:

{¶ 1} Our decision has been reversed by the Ohio Supreme Court in *Cleveland v. Destiny Ventures, L.L.C.*, Slip Opinion No. 2010-Ohio-2320. Pursuant to the Supreme Court’s holding in *Cleveland v. Washington Mut. Bank*, Slip Opinion No. 2010-Ohio-2219, the trial court’s judgment is reversed, and the case is remanded to the Cleveland Municipal Housing Court for further proceedings not inconsistent with *Cleveland v. Washington Mut. Bank*.¹

COLLEEN CONWAY COONEY, PRESIDING JUDGE

KENNETH A. ROCCO, J., and
LARRY A. JONES, J., CONCUR

¹The syllabus provides, “R.C. 2941.47 does not authorize a trial of a corporation in absentia in a criminal proceeding that is initiated by affidavit or complaint in a municipal court.”