

[Cite as *Helms v. Akron Health Dept.*, 2004-Ohio-2002.]

Please see original opinion at Helms v. Akron Health Dept., 2004-Ohio-953.

STATE OF OHIO)
)ss:
COUNTY OF SUMMIT)

IN THE COURT OF APPEALS
NINTH JUDICIAL DISTRICT

JOEL A. HELMS

C.A. No. 21735

Appellant

v.

AKRON HEALTH DEPARTMENT

Appellee

JOURNAL ENTRY

{¶1} Appellee has moved this Court to reconsider our decision and journal entry, which was journalized on March 3, 2004. Appellant has not responded to the motion.

{¶2} In determining whether to grant a motion for reconsideration, a court of appeals must review the motion to see if it calls to the attention of the court an obvious error in its decision or if it raises issues not considered properly by the court. *Garfield Hts. City School Dist. v. State Bd. of Edn.* (1992), 85 Ohio App.3d 117. The application for reconsideration is granted. The appeal is reinstated, and the decision and journal entry of this Court dated March 3, 2004 is hereby vacated. This Court shall issue a new decision and journal entry in due course.

Judge

Judge

A copy of this journal entry is being mailed to the following:

Michael D. Rossi, Attorney at Law, 151 East Market Street, P.O. Box 4270,
Warren, Ohio 44482.

Max Rothal, Director of Law, and John R. York, Assistant Director of Law, 161
South High Street, Ocasek Building, Suite 202, Akron, Ohio 44308.