

**SUPREME COURT OF OHIO**

**COLUMBUS**

**ANNOUNCEMENT**

WEDNESDAY

April 21, 1999

**MOTION DOCKET**

**98-1462. Waite v. Progressive Ins. Co.**

Huron App. No. H-97-036. This cause is pending before the court as an appeal from the Court of Appeals for Huron County. Upon consideration of the motion of *amicus curiae*, The Ohio Academy of Trial Lawyers, to participate in oral argument currently scheduled for May 4, 1999,

IT IS ORDERED by the court that the motion to participate in oral argument be, and hereby is granted, and *amicus curiae* shall share the time allotted to appellants.

**99-492. State v. Bates.**

Cuyahoga App. No. 71920. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellant's motion for stay of court of appeals' judgment,

IT IS ORDERED by the court that the motion for stay be, and hereby is, denied.

**99-551. Brickweg v. St. Bernard.**

Hamilton App. No. C-980177. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellants' motion for stay of court of appeals' judgment,

IT IS ORDERED by the court that the motion for stay be, and hereby is, granted.

Resnick, F.E. Sweeney and Pfeifer, JJ., dissent.

**99-570. DeRolph v. State.**

Perry C.P. No. 22043. This cause is pending before the court as an appeal from the Court of Common Pleas of Perry County.

IT IS ORDERED by the court, *sua sponte*, that the time for certifying and transmitting the record in this cause is hereby extended to May 3, 1999.

**MISCELLANEOUS DISMISSALS**

**99-324. Harper v. Cincinnati Ins. Co.**

Defiance App. No. 4-98-03. This cause is pending before the court as a discretionary appeal. Upon consideration of appellant's application for dismissal,

IT IS ORDERED by the court that the application for dismissal be, and hereby is, granted.

ACCORDINGLY, IT IS FURTHER ORDERED by the court that this cause be, and hereby is, dismissed.