

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

July 13, 2004

MOTION AND PROCEDURAL RULINGS

2004-0478. State ex rel. S. Rosenthal Co., Inc. v. Indus. Comm.

Franklin App. No. 03AP-113, 2004-Ohio-549. Whereas this case was referred to mediation under S.Ct.Prac.R. XIV(6),

IT IS ORDERED by the court, sua sponte, that the briefing schedule for this case be stayed until further notice. The court will not issue any decision of the merits of this case until mediation has concluded. The lifting of this stay of briefing or the return of this case to the court's regular docket will begin de novo the time for briefing prescribed in S.Ct.Prac.R. VI.

2004-0630. State ex rel. Bodnar v. Indus. Comm.

Franklin App. No. 03AP-215, 2004-Ohio-1135. The court hereby returns this case to the regular docket under S.Ct.Prac.R. XIV(6). The parties shall continue to brief this case in accordance with S.Ct.Prac.R. VI, as provided in S.Ct.Prac.R. VI.

2004-0722. L & P Mgt. Co. v. Cuyahoga Cty. Bd. of Revision.

Board of Tax Appeals, No. 2003-J-466. This cause is pending before the court as an appeal from the Board of Tax Appeals. Upon consideration of the joint motion to remand case to the Board of Tax Appeals,

IT IS ORDERED by the court that the motion to remand be, and hereby is, granted, and that this cause be remanded to the Board of Tax Appeals to implement the settlement agreement of the parties.

IT IS FURTHER ORDERED that costs be assessed pursuant to S.Ct.Prac.R. XI(5), that a mandate be sent to the Board of Tax Appeals to carry this judgment into execution, and that a copy of this entry be certified to the Board of Tax Appeals for entry.

2004-0802. State ex rel. The New Victorians, Inc. v. Hurtt.

Franklin App. No. 02AP-1066, 2004-Ohio-1598. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. Upon consideration of appellant's motion for stay of briefing schedule pending settlement in this case pursuant to S.Ct.Prac.R. XIV(6)(C),

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

2004-0956. State v. Chamblin.

Adams App. No. 02CA753, 2004-Ohio-2252. 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.

2004-0961. State v. Marcum.

Columbiana App. No. 03CO36, 2004-Ohio-3036. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellant's motion for stay,

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

DISCIPLINARY CASES

2002-0583. Columbus Bar Assn. v. Smith.

On May 23, 2002, this court indefinitely suspended respondent, Charles E. Smith, Attorney Registration No. 0023633, last known address in Columbus, Ohio. On November 12, 2003, respondent was found in contempt and ordered to serve seven days in jail. The sentence was suspended on conditions. On April 16, 2004, relator, Columbus Bar Association, filed a motion for order to show cause why respondent should not be held in contempt for failing to obey this court's orders of May 23, 2002, and November 12, 2003. On May 10, 2004, the court granted that motion and ordered that respondent show cause by filing a written response. Respondent did not file such response. Upon consideration thereof,

IT IS ORDERED by this court that respondent serve the previously imposed seven-day jail sentence.

IT IS FURTHER ORDERED by this court that Charles E. Smith appear at the Franklin County Corrections Center no later than July 26, 2004, to serve his sentence.

Pfeifer, J., would issue a show-cause order.

Lundberg Stratton and O'Connor, JJ., would order respondent to appear and show cause why he should not be permanently disbarred.

2003-0397. Erie-Huron Counties Joint Certified Grievance Commt. v. Meyerhoefer.

This cause came on for further consideration upon the filing of a motion for order to show cause filed by relator. Respondent was ordered to appear before the court on May 11, 2004. On May 6, 2004, this court granted respondent's motion for continuation of his May 11, 2004 appearance before this court. Upon consideration thereof,

IT IS ORDERED that respondent's appearance before this court be rescheduled for August 17, 2004, at 9:00 a.m.

2003-1533. Disciplinary Counsel v. Travis.

IT IS ORDERED by this court, sua sponte, that Christopher T. Travis, Attorney Registration No. 0067699, last known business address in Hamilton, Ohio, be found in contempt for failure to comply with this court's order of March 10, 2004, to wit, failure to file affidavit of compliance on or before April 9, 2004.

MISCELLANEOUS DISMISSALS

2004-0641. State ex rel. Coleman v. Big Four Window Cleaning Co.

Franklin App. No. 03AP-258, 2004-Ohio-1216. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. It appears from the records of this court that appellant has not filed a merit brief, due June 28, 2004, in compliance with the Rules of Practice of the Supreme Court and therefore has failed to prosecute this case with the requisite diligence. Upon consideration thereof,

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

IT IS FURTHER ORDERED that costs be assessed pursuant to S.Ct.Prac.R. XI(5), that a mandate be sent to the Court of Appeals for Franklin County to carry this judgment into execution, and that a copy of

this entry be certified to the Clerk of the Court of Appeals for Franklin County for entry.
