

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

October 14, 2010

[Cite as *10/14/2010 Case Announcements*, 2010-Ohio-4979.]

MERIT DECISIONS WITH OPINIONS

2009-1589. In re J.M., Slip Opinion No. 2010-Ohio-4935.

Pike App. No. 08CA782, 2010-Ohio-1484. Judgment of the court of appeals vacated in part and cause remanded to the court of appeals for further proceedings consistent with *State v. Arnold*, 126 Ohio St.3d 290, 2010-Ohio-2742, 933 N.E.2d 775.

Pfeifer, Lundberg Stratton, O'Connor, Lanzinger, and Cupp, JJ., concur.
Brown., C.J., concurs in judgment only.

O'Donnell, J., concurs in the judgment to vacate the judgment of the court of appeals in part but would remand for application of the principles articulated in his dissenting opinion in *State v. Arnold*.

2010-0536. In re T.L., Slip Opinion No. 2010-Ohio-4936.

Medina App. No. 09CA0018-M, 186 Ohio App.3d 42, 2010-Ohio-402. Judgment of the court of appeals vacated in part and cause remanded to the court of appeals for further proceedings consistent with *State v. Arnold*, 126 Ohio St.3d 290, 2010-Ohio-2742, 933 N.E.2d 775.

Pfeifer, Lundberg Stratton, O'Connor, Lanzinger, and Cupp, JJ., concur.
Brown., C.J., concurs in judgment only.

O'Donnell, J., concurs in the judgment to vacate the judgment of the court of appeals in part but would remand for application of the principles articulated in his dissenting opinion in *State v. Arnold*.

2010-0677. State ex rel. Davis v. Cuyahoga Cty. Court of Common Pleas, Slip Opinion No. 2010-Ohio-4728.

Cuyahoga App. No. 93814, 2010-Ohio-1066. Judgment of the court of appeals affirmed.

Pfeifer, Lundberg Stratton, O'Connor, O'Donnell, and Cupp, JJ., concur.
Brown, C.J., and Lanzinger, J., concur in judgment only.

2010-0717. Dayton Bar Assn. v. Wilson, Slip Opinion No. 2010-Ohio-4937.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 09-029. Y. Nicole Wilson, Attorney Registration No. 0075975, is indefinitely suspended from the practice of law in Ohio.

Brown, C.J., and Pfeifer, Lundberg Stratton, O'Connor, O'Donnell, Lanzinger, and Cupp, JJ., concur.

MOTION AND PROCEDURAL RULINGS

2010-1736. Goins v. Banks.

Hocking App. No. 09CA5. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellant's jurisdictional memorandum, it is determined by the court that this cause originated in the court of appeals and shall proceed as an appeal of right pursuant to S.Ct.Prac.R. 2.1(A)(1).

It is ordered by the court that the clerk shall issue an order for the transmittal of the record from the Court of Appeals for Hocking County. Appellant shall file his merit brief within 40 days of the filing of the record with the clerk of this court, and the parties shall otherwise proceed in accordance with S.Ct.Prac.R. 6.2-6.7.

MISCELLANEOUS ORDERS

On December 2, 2005, the following attorneys were suspended from the practice of law pursuant to Gov.Bar R. VI(6)(B), now (5)(B), for failing to file their 2005/2007 Certificate of Registration and paying the applicable fees on or before December 1, 2005. These attorneys have applied for reinstatement, complied with the requirements of Gov.Bar. R. VI(1), and paid all applicable registration and reinstatement fees and have been reinstated to the practice of law pursuant to Gov.Bar R. VI(5)(D):

AR #	Name	City/State	County	Status
November 3, 2009 0048840	Michael Jeffrey Kieffer	Rochester, NY		Inactive

November 24, 2009	0054425	Martin Lee Stoneman	Phoenix, AZ	Active
December 1, 2009	0042150	Dawn Rae Franks	Pittsburgh, PA	Inactive
December 4, 2009	0020197	Michael James Sheehan	Chicago, IL	Active
December 15, 2009	0030631	Jennifer Ellen Draheim	Santa Ana, CA	Inactive
December 24, 2009	0075411	Carlos Francisco Martin	Coral Gables, FL	Inactive
January 7, 2010	0075042	Sean Patrick Coyan	Washington, DC	Active
January 26, 2010	0064131	James Anthony Bax	St. Louis, MO	Active
	0074387	Allison D. MacClafferty	Henderson, NV	Inactive
March 5, 2010	0067497	Kathleen Carolyn Brockel	Pinckney, MI	Inactive
	0043647	James Frederick Gatzke	Ft. Worth, TX	Inactive
March 30, 2010	0050337	Gordon Roth Miller, Jr.	Hilton Head, SC	Inactive
May 27, 2010	0066734	Kathleen Marie Kennedy	Cleveland, OH	Cuyahoga Inactive
June 4, 2010	0064249	Bruce Legh Drysdale	Pinckney, MI	Inactive
	0071665	Mary Sheila Poland	Kennewick, WA	Inactive
July 2, 2010	0041501	Cheryl Denise Cofield	Springdale, AR	Inactive
	0037356	Edward Morgan Craig	Ft. Wayne, IN	Inactive
	0025735	Thomas Francis Dowd, Jr.	Clayton, MO	Inactive

July 6, 2010

0039768

Gertrude Marie Kelly

Chicago, IL

Inactive

On December 3, 2007, the following attorneys were suspended from the practice of law pursuant to Gov.Bar R. VI(5)(B) for failing to file their 2007/2009 Certificate of Registration and paying the applicable fees on or before November 30, 2007. These attorneys have applied for reinstatement, complied with the requirements of Gov.Bar. R. VI(1), and paid all applicable registration and reinstatement fees and have been reinstated to the practice of law pursuant to Gov.Bar R. VI(5)(D):

AR #	Name	City/State	County	Status
December 2, 2009 0061811	Robin Foley Miller	Lexington, KY		Inactive
December 31, 2009 0030244	Wendy Irene Wills	Cleveland, OH	Cuyahoga	Inactive
April 15, 2010 0012009	Sam Jerome Lett	Ashland, OH	Ashland	Inactive
April 29, 2010 0041495	Marion Neal Cox	Shaker Heights, OH	Cuyahoga	Inactive
June 4, 2010 0074601	Cynthia Krips Port	Beachwood, OH	Cuyahoga	Inactive

On November 3, 2009, the following attorneys were suspended from the practice of law pursuant to Gov.Bar R. VI(5)(B) for failing to file their 2009/2011 Certificate of Registration and paying the applicable fees on or before November 2, 2009. These attorneys have applied for reinstatement, complied with the requirements of Gov.Bar R. VI(1), and paid all applicable registration and reinstatement fees and have been reinstated to the practice of law pursuant to Gov.Bar R. VI(5)(D):

AR #	Name	City/State	County	Status
November 4, 2009 0061364	Jeffrey Dwight Hunter	Xenia, OH	Greene	Active

November 5, 2009

0078504	Bahjat Mikhail Abdallah	Dayton, OH	Montgomery	Active
0062924	Nathan Clinard	Sidney, OH	Shelby	Active
0070673	Neal Allen Frink	Cincinnati, OH	Hamilton	Active
0072673	James Jonathan Hofelich	Cleveland, OH	Cuyahoga	Active

November 6, 2009

0008413	Joseph Henry Brockwell	Marietta, OH	Washington	Active
0041972	John Howard Forg, III	Middletown, OH	Butler	Active
0074243	Sean Andrew Gordon	Atlanta, GA		Active
0082686	Dustin Scott Lewis	Solon, OH	Cuyahoga	Active
0016646	William Patrick Whalen, Jr.	Cincinnati, OH	Hamilton	Active

November 9, 2009

0084115	Laura Patricia Perme	Euclid, OH	Cuyahoga	Active
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November 10, 2009

0024054	Thomas Christopher Brown	Geneva, OH	Ashtabula	Active
0061197	Desmond Richard Griswold	Cleveland, OH	Cuyahoga	Active
0054071	Jeffrey Maxwell Jacobson	Columbus, OH	Franklin	Active
0071997	Scott Allen Kramer	Dayton, OH	Montgomery	Active
0083322	Carl Anthony Lewis	Cleveland, OH	Cuyahoga	Active
0003315	William Paul McGuire	Warren, OH	Trumbull	Active
0048829	Shawn Ramone Pearson	Cleveland, OH	Cuyahoga	Active
0029952	William Francis Schmitz	Cleveland, OH	Cuyahoga	Active
0075455	Matthew John Wiles	San Diego, CA		Active

November 12, 2009

0040430	Michael Elliott Finucane	Cincinnati, OH	Hamilton	Active
0002578	Steven Edward Hillman	Dublin, OH	Franklin	Active
0074868	Perry W. Oxley	Charleston, WV		Active
0084188	Shawn Derek Shugert	Fort Meade, MD		Active

November 16, 2009

0062111	Heather Elyse Goodman	New Albany, OH	Franklin	Active
0062918	Ted Patrick McClatchey	Columbus, OH	Franklin	Active
0014645	Patrick Harmon O'Brien	Pomeroy, OH	Meigs	Active

November 18, 2009

0080451	Jessica Lane Dillon	Fairview Park, OH	Cuyahoga	Active
0016752	John Robert Dorocak	Parma, OH	Cuyahoga	Active
0083291	Erin Regina Flanagan	Cleveland Hts., OH	Cuyahoga	Active
0030096	John Michael Masters	Independence, OH	Cuyahoga	Active

November 19, 2009

0074327	Robert Basil Kapitan	Brooklyn Hts., OH	Cuyahoga	Active
0066111	Nadeem Sine Salem	Toledo, OH	Lucas	Inactive
0043180	Gary Douglas Saltsman	Falls Church, VA		Active
0078566	Kymerlee Renee Vining	Rocky River, OH	Cuyahoga	Active

November 24, 2009

0060028	Alfred Ray English	Atlanta, GA		Inactive
0065147	Phillip Lafayette Herbaugh	Akron, OH	Summit	Active
0017998	Donald Timothy Hughes	Columbus, OH	Franklin	Active
0058895	Joseph Michael Masterson	Seoul , S. Korea		Active
0079017	Nicole Jolie Papa	Worthington, OH	Franklin	Inactive
0067764	Kevin Wayne Rumes	Broadview Hts., OH	Cuyahoga	Active

December 1, 2009

0063073	Katherine Mary Hessler	Portland, OR		Inactive
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December 2, 2009

0071027	Jason Matthew Baasten	Canton, OH	Stark	Active
0042236	Gregory Joseph Claycomb	Mainville, OH	Warren	Inactive
0040765	Raymond Thomas Lee, III	Dublin, OH	Franklin	Active
0000734	Rodger Allen Marting	Circleville, OH	Pickaway	Active
0039292	James Byrne Varanese	London, England		Active
0066112	David Paul Wood	Littleton, CO		Active

December 4, 2009

0053388	Freeman T. Eagleson III	Columbus, OH	Franklin	Active
0081256	Daniel Joseph Hindery	Cincinnati, OH	Hamilton	Active

December 15, 2009

0052733	Louis James DelBene	Ravenna, OH	Portage	Active
0067171	John Charles Henck	Beachwood, OH	Cuyahoga	Active
0068728	Lynn Ann Lape	Cincinnati, OH	Hamilton	Active
0036928	Thomas Paul Liptock	Centerville, OH	Montgomery	Active
0076374	Matthew James Miller	Chicago, IL		Active

December 24, 2009

0034473	Robert Gregory Mansour	Cleveland, OH	Cuyahoga	Active
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December 31, 2009

0077986	Marlaina Shirk Freisthler	La Follette, TN		Active
0055624	Marilyn Stacy Kabb	Cleveland, OH	Cuyahoga	Inactive

January 7, 2010

0014398	John Adams Cervay	Columbus, OH	Franklin	Active
0034327	Julie Ann Decker	Toronto, OH	Jefferson	Active
0081572	Kristina M. Odom	Fairfield, OH	Hamilton	Corporate

January 15, 2010

0075447	Nathan Joseph Allen	Atlanta, GA		Inactive
0024134	Arthur B. Cunningham	Hopkinton, NH		Active

January 26, 2010

0080704	Beau Donovan Hollowell	Chicago, IL		Active
0016901	A. Edward Moss	Boca Raton, FL		Inactive

February 8, 2010

0019274	Michael Francis Bigler	Cincinnati, OH	Hamilton	Active
0079111	Erin Elizabeth Sullivan	Boston, MA		Active

March 5, 2010

0055438	Matthew Paul Kammerer	Cincinnati, OH	Hamilton	Active
0069118	Eric Maurice Seabrook	Columbus, OH	Franklin	Active
0071309	Sakeya MonCheree Stubbs	Columbus, OH	Franklin	Probation

March 18, 2010

0021345	Cindy Virginia Peters	Springfield, OH	Clark	Active
0036741	Jean Marie Steigerwald	Dayton, OH	Montgomery	Active

March 30, 2010

0083342	Brad Aaron Catlin	Indianapolis, IN		Active
0020362	David Charles Eisler	Dover, NH		Active
0072241	James Arthur Erwin	Chicago, IL		Inactive
0014201	Otto Daniel Wolff, IV	Florence, KY		Inactive

April 19, 2010

0079453	Matthew Adam Schwartz	Reynoldsburg, OH	Franklin	Active
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May 18, 2010

0077034	Phillip Hyun-Soon Lee	Palo Alto, CA		Inactive
0059515	Michael Patrick Meehan	Cleveland, OH	Cuyahoga	Active

May 27, 2010

0048454	Richard Andrew Jarvis	Newport, KY		Active
0075740	Paul Joseph Murphy	Blissfield, MI		Active

On April 26, 2010, the following attorney was suspended from the practice of law pursuant to Gov.Bar R. VI(5)(B) for failing to file her 2009/2011 Certificate of Registration and paying the applicable fees on or before April 25, 2010. This attorney has applied for reinstatement, complied with the requirements of Gov. Bar R. VI(1), and paid all applicable registration and reinstatement fees and has been reinstated to the practice of law pursuant to Gov.Bar. R. VI(5)(D):

June 4, 2010

0085774

Katharine Ann Davis

Westlake, OH

Cuyahoga

Active

MEDIATION REFERRALS

The following cases have been referred to mediation pursuant to S.Ct.Prac.R. 17.1(A):

2010-1094. Columbus City School Dist. Bd. of Edn. v. Levin.

Board of Tax Appeals, No. 2009-V-4110.

2010-1614. State ex rel. Ruscilli Constr. Co. v. Indus. Comm.

Franklin App. No. 09AP-1006, 2010-Ohio-4126.

2010-1634. State ex rel. Gonzales v. Nadel.

In Mandamus.

2010-1641. State ex rel. McCaffrey v. Mahoning Cty. Bd. of Commrs.

In Mandamus.

2010-1642. State ex rel. McCafferty v. Mahoning Cty. Prosecutor's Office.

In Mandamus.

2010-1664. State ex rel. Vrable II, Inc. v. Ohio Court of Appeals, Eighth Dist.

In Mandamus and Prohibition.

2010-1669. State ex rel. GMS Mgt. Co., Inc. v. Vivo.

Mahoning App. No. 10 MA 1, 2010-Ohio-4184.

2010-1681. State ex rel. Hodge v. Ryan.

Franklin App. No. 09AP-412.

The following cases have been returned to the regular docket pursuant to S.Ct.Prac.R. 17.1(E):

2010-0964. State ex rel. Gonzales v. Morgan.
Franklin App. No. 09AP-752, 2010-Ohio-1959.

2010-1285. State ex rel. DeGroot v. Tilsley.
Hamilton App. No. C-100338.

2010-1296. Huff v. O'Toole.
In Mandamus.

2010-1511. Delaney v. Levin.
Board of Tax Appeals, No. 2010-K-18.

2010-1525. State ex rel. Bell v. Madison Cty. Bd. of Commrs.
Madison App. No. 2010-04-010.

2010-1534. State ex rel. DeGroot v. Bohannon.
In Mandamus.