

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

June 24, 2009

[Cite as *06/24/2009 Case Announcements, 2009-Ohio-2982.*]

MERIT DECISIONS WITH OPINIONS

2009-0069. Disciplinary Counsel v. Frost, Slip Opinion No. 2009-Ohio-2870.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 07-079. Merrie Maureen Frost, Attorney Registration No. 0059642, is indefinitely suspended from the practice of law in Ohio.

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

2009-0229. State ex rel. Gilmour Realty, Inc. v. Mayfield Hts., Slip Opinion No. 2009-Ohio-2871.

Cuyahoga App. No. 90575, 2009-Ohio-29. Judgment affirmed.

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

Pfeifer, J., concurs in judgment only.

MOTION AND PROCEDURAL RULINGS

2003-1572. State ex rel. Howard v. Indus. Comm.

Franklin App. No. 97AP-860. On September 24, 2004, this court found appellant Gregory T. Howard to be a vexatious litigator under S.Ct.Prac.R. XIV(5)(B). This court further ordered that appellant was prohibited from continuing or instituting legal proceedings in the court without obtaining leave. On June 22, 2009, Howard filed four separate motions for leave.

It is ordered by the court that all four motions for leave filed on June 22, 2009, are denied.

2005-0150. Lewis v. J. E. Wiggins & Co.

Franklin App. No. 04AP-469, 2004-Ohio-6724. On May 11, 2005, this court found Sidney T. Lewis and Yvonne D. Webb-Lewis to be vexatious litigators under S.Ct.Prac.R. XIV(5)(B). This court further ordered that Sidney T. Lewis and Yvonne D. Webb-Lewis were prohibited from continuing or instituting legal proceedings in this court without first obtaining leave. On June 22, 2009, Sidney T. Lewis and Yvonne D. Webb-Lewis submitted a motion for leave to request finding of facts and conclusions of law. Upon consideration thereof,

It is ordered by the court that the motion for leave is denied.

2008-0029. State ex rel. Gilbert v. Cincinnati.

Hamilton App. No. C-070166, 174 Ohio App.3d 89, 2007-Ohio-6332. Reported at ___ Ohio St.3d ___, 2009-Ohio-2360, ___ N.E.2d ___. On motion for reconsideration. The motion for reconsideration is granted, and the appeal is reinstated.

It is further ordered by the court that the joint motion to consolidate this case with 2009-0753, *State ex rel. Gilbert v. Cincinnati*, Hamilton App. No. C-070166, 2009-Ohio-1078, is granted for purposes of briefing and decision.

It is further ordered by the court that for the purpose of briefing, Lee and Richard Gilbert shall be designated as the appellants/cross-appellees, and city of Cincinnati, Hamilton County Board of Commissioners, and the Metropolitan Sewer District of Greater Cincinnati shall be designated as appellees/cross-appellants.

Briefing shall proceed in accordance with S.Ct.Prac.R. VI(5). The first brief is due within 40 days of this entry, the second brief is due within 30 days after the filing of the first brief, the third brief is due within 30 days of the filing of the second brief, and the fourth brief is due within 20 days of the filing of the third brief.

2009-0053. Stewart v. Rice.

In Quo Warranto. This cause came on for further consideration upon relator's objection,

It is ordered by the court that the objection is denied.

2009-0753. State ex rel. Gilbert v. Cincinnati.

Hamilton App. No. C-070166, 2009-Ohio-1078. This cause is pending before the court as an appeal from the Court of Appeals for Hamilton County.

It is ordered by the court, sua sponte, that the motion to consolidate with 2008-0029, *State ex rel. Gilbert v. Cincinnati*, Hamilton App. No. C-070166, 174 Ohio App.3d 89, 2007-Ohio-6332, which was denied on May 26, 2009, is now granted for purposes of briefing and decision.

It is further ordered by the court that for the purpose of briefing, Lee and Richard Gilbert shall be designated as the appellants/cross-appellees, and city of Cincinnati, Hamilton County Board of Commissioners and the Metropolitan Sewer District of Greater Cincinnati shall be designated as appellees/cross-appellants.

Briefing shall proceed in accordance with S.Ct.Prac.R. VI(5). The first brief is due within 40 days of this entry, the second brief is due within 30 days after the filing of the first brief, the third brief is due within 30 days of the filing of the second brief, and the fourth brief is due within 20 days of the filing of the third brief.

2009-1059. Link v. Matthews.

Allen App. No. 1-08-61, 2009-Ohio-1920. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellant's motion for expedited stay of foreclosure proceedings,

It is ordered by the court that the motion is denied.

DISCIPLINARY CASES

2008-0007. Columbus Bar Assn. v. Peden.

This cause came on for further consideration upon the filing by respondent of a motion for reconsideration of the court's June 15, 2009, order of suspension. Upon consideration thereof,

It is ordered that respondent's motion is hereby, denied.

2009-1004. In re Resignation of Rafidi.

On affidavit of resignation from the practice of law of Joseph F. Rafidi, Attorney Registration No. 0073061, and on report filed under seal by Disciplinary Counsel. Resignation accepted with disciplinary action pending.

2009-1011. In re Resignation of Johnson.

On affidavit of resignation from the practice of law of Katryna Lynette Johnson, Attorney Registration No. 0070915, and on report filed under seal by Disciplinary Counsel. Resignation accepted with disciplinary action pending.

MISCELLANEOUS DISMISSALS

2009-0957. Squire v. Geer.

Franklin App. No. 06AP-1285. This cause is pending before the court as an appeal of contest of election from the Court of Appeals for Franklin County. Upon consideration of the motion to dismiss of Franklin County Board of Elections or, to require an appeal bond,

It is ordered by the court that the motion is granted. Accordingly, this cause is dismissed.

Pfeifer, J., dissents and would grant the motion to set bond.