

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

August 27, 2009

[Cite as *08/27/2009 Case Announcements*, 2009-Ohio-4346.]

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## MERIT DECISIONS WITH OPINIONS

**2008-0845. Allen v. totes/Isotoner Corp., Slip Opinion No. 2009-Ohio-4231.**

Butler App. No. CA2007-08-196. Judgment affirmed.

Lundberg Stratton, O'Donnell, and Cupp, JJ., concur.

Moyer, C.J., and O'Connor, J., concur in judgment only.

Pfeifer, J., dissents.

Lanzinger, J., would dismiss the appeal as having been improvidently accepted.

**2008-1133. Hodesh v. Korelitz, Slip Opinion No. 2009-Ohio-4220.**

Hamilton App. Nos. C-061013, C-061040, C-070168, and C-070172, 2008-Ohio-2052. Judgment reversed and cause remanded.

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

**2008-1725. State v. Lester, Slip Opinion No. 2009-Ohio-4225.**

Hamilton App. No. C-070383, 2008-Ohio-3570. Judgment of the court of appeals reversed, and judgment of the trial court reinstated.

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

Pfeifer and Lanzinger, JJ., concur in judgment only.

**2009-0393. Lake Cty. Bar Assn. v. Ryan, Slip Opinion No. 2009-Ohio-4232.**

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 08-039. Patrick T. Ryan, Attorney Registration No. 0022478, is suspended

from the practice of law in Ohio for two years, with six months stayed on condition.

Pfeifer, Lundberg Stratton, O'Donnell, and Lanzinger, JJ., concur.

Moyer, C.J., and O'Connor and Cupp, JJ., dissent.

**2009-0399. Disciplinary Counsel v. Laatsch, Slip Opinion No. 2009-Ohio-4204.**

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 08-035. Morris Herman Laatsch III, Attorney Registration No. 0010279, is suspended from the practice of law in Ohio for six months, stayed on condition.

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

O'Connor, J., dissents and would publicly reprimand respondent.

**2009-0467. Disciplinary Counsel v. Sabroff, Slip Opinion No. 2009-Ohio-4205.**

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 08-074. Brett M. Sabroff, Attorney Registration No. 0018933, is permanently disbarred from the practice of law in Ohio.

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

**2009-0679. Lake Cty. Bar Assn. v. Rozanc, Slip Opinion No. 2009-Ohio-4207.**

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 08-033. Frank J. Rozanc, Attorney Registration No. 0047173, is suspended from the practice of law in Ohio for one year, with six months stayed on conditions.

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

**2009-0982. Ohio State Bar Assn. v. Pinnacle Title Corp., Slip Opinion No. 2009-Ohio-4206.**

On Final Report by the Board on the Unauthorized Practice of Law, No. UPL 07-07. Pinnacle Title Corporation, Pinnacle Title Corp., Dennis Leo Mattingly, Jeffrey D. Houk, and Timothy Poole are enjoined from acts constituting the practice of law in Ohio.

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

## MOTION AND PROCEDURAL RULINGS

### **2009-1162. State v. Huber.**

Miami App. No. 2008 CA 15, 2009-Ohio-2541. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellee's motion to strike the notice of appeal and memorandum in support of jurisdiction,

It is ordered by the court that the motion is denied and appellee shall file a memorandum in response within 30 days from the date of this entry.

### **2009-1170. Jewell v. Victorian Village Internal Medicine, Inc.**

Franklin App. No. 08AP-919, 2009-Ohio-2233. This cause is pending before the court as a discretionary appeal. Upon consideration of appellee Kenneth W. Saul's motion to strike the notice of appeal and memorandum in support of jurisdiction,

It is ordered by the court that the motion is denied and appellee shall file a memorandum in response within 30 days from the date of this entry.

It is further ordered that the motion to provide proof of service is denied.

## MISCELLANEOUS DISMISSALS

### **2009-1244. State ex rel. Johnson v. Winkler.**

Hamilton App. No. C-090283. This cause is pending before the court as an appeal from the Court of Appeals for Hamilton County. Upon consideration of appellant's application for dismissal,

It is ordered by the court that the application for dismissal is granted. Accordingly, this cause is dismissed.

## MISCELLANEOUS ORDERS

In re Report of the Commission  
On Continuing Legal Education.

Michael Anthony Ross  
(#0071545),  
Respondent.

Case No. CLE-2005-71545

ORDER

This matter originated in this court on the filing of a report by the Commission on Continuing Legal Education ("commission") pursuant to Gov.Bar R. X(6)(A)(1)(b) and (A)(2)(d). The commission recommended the imposition of sanctions against certain attorneys, including the above-named respondent, for

failure to comply with the provisions of Gov.Bar R. X, Attorney Continuing Legal Education, for the 2003-2004 reporting period.

On May 16, 2006, this court adopted the recommendation of the commission, imposed a sanction fee upon the respondent, and suspended the respondent from the practice of law pursuant to Gov.Bar R. X(6)(B)(3) and (5)(A)(4). The court further ordered that respondent shall not be reinstated to the practice of law in Ohio until respondent complies with the requirements for reinstatement set forth in Gov.Bar R. X(7), respondent complies with the Supreme Court Rules for the Government of the Bar of Ohio, respondent complies with this and all other orders of the court, and this court orders respondent reinstated.

On August 18, 2009, the commission filed a recommendation pursuant to Gov.Bar R. X(7)(B)(2), finding that the respondent has paid all fees assessed for noncompliance, has made up all deficiencies, and is now in full compliance with all requirements of Gov.Bar R. X and recommending that the respondent be reinstated to the practice of law in Ohio. The commission certified that respondent had completed the credit hours of continuing legal education required during the suspension by this court's order of suspension. Respondent has satisfied all the requirements of this court's order of suspension. Upon consideration thereof,

It is ordered by the court that the recommendation of the commission is adopted and respondent, Michael Anthony Ross, is hereby reinstated to the practice of law.

**2009-0966. Ohio State Bar Assn. v. Heath.**

This matter is pending before the court upon the filing of a report and recommendation by the Board on the Unauthorized Practice of Law recommending that respondent be enjoined from the unauthorized practice of law. Oral argument was held in this matter on August 11, 2009. Respondent, Gary Allan Heath, filed on August 11, 2009 a motion to dismiss with prejudice. Upon consideration thereof,

It is ordered by this court that respondent's motion is denied.