

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

October 29, 2009

[Cite as *10/29/2009 Case Announcements, 2009-Ohio-5680.*]

MERIT DECISIONS WITH OPINIONS

2008-1265. Sisk & Assoc., Inc. v. Commt. to Elect Timothy Grendell, Slip Opinion No. 2009-Ohio-5591.

Franklin App. No. 07AP-1002, 2008-Ohio-2342. Judgment reversed.

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

Cupp, J., concurs in judgment only.

2008-2391. State v. Futrall, Slip Opinion No. 2009-Ohio-5590.

Lorain App. No. 08CA009388, 2008-Ohio-5654. Judgment affirmed.

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

Moyer, C.J., concurs separately.

2009-0819. Brown v. Hall, Slip Opinion No. 2009-Ohio-5592.

Stark App. No. 2009 CA 00034, 2009-Ohio-1349. Judgment reversed and cause remanded.

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

Pfeifer, J., concurs in judgment only.

2009-1199. Columbus Bar Assn. v. Allerding, Slip Opinion No. 2009-Ohio-5589.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 08-064. Michael Paul Allerding, Attorney Registration No. 0025854, is

suspended from the practice of law in Ohio for two years, all stayed on condition of compliance with a two-year probation.

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

MERIT DECISIONS WITHOUT OPINIONS

2009-1620. In re Application of Columbus S. Power Co. for Approval of an Electric Security Plan.

Public Utilities Commission, Nos. 08-917-EL-SSO and 08-918-EL-SSO. This cause is pending before the court as an appeal from the Public Utilities Commission of Ohio. Upon consideration of appellee's motion to dismiss, appellant's motion for stay of execution or in the alternative motion for collection of rates subject to refund and motion to require past collections to be escrowed, the motion to dismiss appeal of Industrial Energy Users-Ohio by Columbus Southern Power Company and Ohio Power Company, and the motion to dismiss appeal of Industrial Energy Users-Ohio by the Public Utilities Commission of Ohio,

It is ordered by the court that the motions to dismiss are granted, and the motion for stay is denied. Accordingly, this cause is dismissed.

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

Pfeifer, J., dissents.

MOTION AND PROCEDURAL RULINGS

2007-1261 and 2007-2425. State v. Ketterer.

Butler C.P. No. CR2003-03-0309. This cause is here on appeal from the Court of Common Pleas for Butler County. Upon review of the November 15, 2007 nunc pro tunc sentencing entry,

It is ordered by the court, sua sponte, that the parties shall file supplemental briefs to address whether the November 15, 2007 nunc pro tunc sentencing entry is a final, appealable order in light of this court's decision in *State v. Baker*, 119 Ohio St.3d 197, 2008-Ohio-3330. Appellant shall file his brief within 20 days of the date of this order. Appellee shall file its brief within 15 days of the filing of appellant's brief. The parties shall file two originals of the briefs and provide both case numbers on the cover page. Reply briefs shall not be filed, and the Clerk's Office shall refuse to file any reply briefs or requests for extension of time.

2009-1624. State ex rel. R.W. v. Sweeney.

Cuyahoga App. No. 93415, 2009-Ohio-3743. This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County. Upon consideration of appellant's motion to supplement the record,

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

2009-1624. State ex rel. R.W. v. Sweeney.

Cuyahoga App. No. 93415, 2009-Ohio-3743. This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County. Upon consideration of appellant's motion to consolidate this case with case No. 2009-1626, *State ex rel. R.W. v. Sweeney*, Cuyahoga App. No. 93414,

It is ordered by the court that the motion is granted, and the causes are consolidated for briefing and decision. The parties shall file two originals of each of the briefs permitted under S.Ct.Prac.R. VI and include both case numbers on the cover page of the briefs. The parties shall otherwise comply with the requirements of S.Ct.Prac.R. VI.

2009-1626. State ex rel. R.W. v. Sweeney.

Cuyahoga App. No. 93414. This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County. Upon consideration of appellant's motion to supplement record,

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

2009-1626. State ex rel. R.W. v. Sweeney.

Cuyahoga App. No. 93414. This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County. Upon consideration of appellant's motion to consolidate this case with case No. 2009-1624, *State ex rel. R.W. v. Sweeney*, Cuyahoga App. No. 93415, 2009-Ohio-3743,

It is ordered by the court that the motion is granted, and the causes are consolidated for briefing and decision. The parties shall file two originals of each of the briefs permitted under S.Ct.Prac.R. VI and include both case numbers on the cover page of the briefs. The parties shall otherwise comply with the requirements of S.Ct.Prac.R. VI.

MISCELLANEOUS DISMISSALS

2009-1256. State ex rel. Hughley v. Berens.

Fairfield App. No. 2009-CA-24, 2009-Ohio-3277. On September 16, 2009, this court found Kevin Hughley to be a vexatious litigator under S.Ct.Prac.R. XIV(5)(B). This court further ordered that Hughley was prohibited from continuing or instituting legal proceedings in this court without first obtaining

leave. On October 26, 2009, Hughley submitted a motion for leave to file motion for extension of time to file a merit brief. Upon review of the proffered motion for leave,

It is ordered by the court that Kevin Hughley's motion for leave is denied.

Upon review of the documents filed in this case the court finds the case to be without merit. Accordingly, it is further ordered by the court, sua sponte, that this case is dismissed.

2009-1538. Torrance v. Court of Appeals, First Appellate Dist.

In Mandamus and Prohibition. On October 26, 2009, this court found Saint Torrance to be a vexatious litigator under S.Ct.Prac.R. XIV(5)(B). This court further ordered that Torrance was prohibited from continuing or instituting legal proceedings in this court without first obtaining leave. Upon review of the documents filed in this case, the court finds the case to be without merit. Accordingly,

It is ordered by the court, sua sponte, that the case is dismissed and all pending motions are denied as moot.

2009-1630. State ex rel. Sickles v. Jackson Cty. Sheriff's Office.

In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus. Upon consideration of relator's application for dismissal,

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

2009-1709. Torrance v. U.S. Dept.of Housing & Urban Dev.

In Mandamus and Prohibition. On October 26, 2009, this court found Saint Torrance to be a vexatious litigator under S.Ct.Prac.R. XIV(5)(B). This court further ordered that Torrance was prohibited from continuing or instituting legal proceedings in this court without first obtaining leave. Upon review of the documents filed in this case, the court finds the case to be without merit. Accordingly,

It is ordered by the court, sua sponte, that the case is dismissed and all pending motions are denied as moot.

2009-1710. Torrance v. Allen.

In Mandamus and Prohibition. On October 26, 2009, this court found Saint Torrance to be a vexatious litigator under S.Ct.Prac.R. XIV(5)(B). This court further ordered that Torrance was prohibited from continuing or instituting legal proceedings in this court without first obtaining leave. Upon review of the

documents filed in this case, the court finds the case to be without merit. Accordingly,

It is ordered by the court, sua sponte, that the case is dismissed and all pending motions are denied as moot.

2009-1711. Torrance v. Meyers.

In Mandamus and Prohibition. On October 26, 2009, this court found Saint Torrance to be a vexatious litigator under S.Ct.Prac.R. XIV(5)(B). This court further ordered that Torrance was prohibited from continuing or instituting legal proceedings in this court without first obtaining leave. Upon review of the documents filed in this case, the court finds the case to be without merit. Accordingly,

It is ordered by the court, sua sponte, that the case is dismissed and all pending motions are denied as moot.

2009-1712. Torrance v. Mallory.

In Mandamus and Prohibition. On October 26, 2009, this court found Saint Torrance to be a vexatious litigator under S.Ct.Prac.R. XIV(5)(B). This court further ordered that Torrance was prohibited from continuing or instituting legal proceedings in this court without first obtaining leave. Upon review of the documents filed in this case, the court finds the case to be without merit. Accordingly,

It is ordered by the court, sua sponte, that the case is dismissed and all pending motions are denied as moot.

2009-1713. Torrance v. Nadel .

In Mandamus and Prohibition. On October 26, 2009, this court found Saint Torrance to be a vexatious litigator under S.Ct.Prac.R. XIV(5)(B). This court further ordered that Torrance was prohibited from continuing or instituting legal proceedings in this court without first obtaining leave. Upon review of the documents filed in this case, the court finds the case to be without merit. Accordingly,

It is ordered by the court, sua sponte, that the case is dismissed and all pending motions are denied as moot.

2009-1714. Torrance v. HSBC Auto Fin., Inc.

In Mandamus and Prohibition. On October 26, 2009, this court found Saint Torrance to be a vexatious litigator under S.Ct.Prac.R. XIV(5)(B). This court further ordered that Torrance was prohibited from continuing or instituting legal proceedings in this court without first obtaining leave. Upon review of the

documents filed in this case, the court finds the case to be without merit. Accordingly,

It is ordered by the court, sua sponte, that the case is dismissed and all pending motions are denied as moot.

2009-1720. Torrance v. Cooper.

In Mandamus and Prohibition. On October 26, 2009, this court found Saint Torrance to be a vexatious litigator under S.Ct.Prac.R. XIV(5)(B). This court further ordered that Torrance was prohibited from continuing or instituting legal proceedings in this court without first obtaining leave. Upon review of the documents filed in this case, the court finds the case to be without merit. Accordingly,

It is ordered by the court, sua sponte, that the case is dismissed and all pending motions are denied as moot.

2009-1721. Torrance v. Metz.

In Mandamus and Prohibition. On October 26, 2009, this court found Saint Torrance to be a vexatious litigator under S.Ct.Prac.R. XIV(5)(B). This court further ordered that Torrance was prohibited from continuing or instituting legal proceedings in this court without first obtaining leave. Upon review of the documents filed in this case, the court finds the case to be without merit. Accordingly,

It is ordered by the court, sua sponte, that the case is dismissed and all pending motions are denied as moot.

2009-1722. Torrance v. Winkler.

In Mandamus and Prohibition. On October 26, 2009, this court found Saint Torrance to be a vexatious litigator under S.Ct.Prac.R. XIV(5)(B). This court further ordered that Torrance was prohibited from continuing or instituting legal proceedings in this court without first obtaining leave. Upon review of the documents filed in this case, the court finds the case to be without merit. Accordingly,

It is ordered by the court, sua sponte, that the case is dismissed and all pending motions are denied as moot.

2009-1723. Torrance v. Winkler.

In Mandamus and Prohibition. On October 26, 2009, this court found Saint Torrance to be a vexatious litigator under S.Ct.Prac.R. XIV(5)(B). This court further ordered that Torrance was prohibited from continuing or instituting legal proceedings in this court without first obtaining leave. Upon review of the

documents filed in this case, the court finds the case to be without merit. Accordingly,

It is ordered by the court, sua sponte, that the case is dismissed and all pending motions are denied as moot.

2009-1810. Torrance v. Cincinnati Metro. Hous. Auth.

In Mandamus and Prohibition. This cause originated in this court on the filing of a complaint for a writ of mandamus and prohibition. Upon consideration thereof,

It is ordered by the court, sua sponte, that this cause is dismissed due to relator's failure to respond to the order issued by this court on October 9, 2009 to show good cause why he should be permitted to proceed with this action without payment of the filing fee and security deposit.

2009-1876. Torrance v. Allstate Ins. Co.

In Mandamus and Prohibition. On October 26, 2009, this court found Saint Torrance to be a vexatious litigator under S.Ct.Prac.R. XIV(5)(B). This court further ordered that Torrance was prohibited from continuing or instituting legal proceedings in this court without first obtaining leave. Upon review of the documents filed in this case, the court finds the case to be without merit. Accordingly,

It is ordered by the court, sua sponte, that the case is dismissed.

2009-1899. Torrance v. Dept.of Veterans Affairs.

In Mandamus and Prohibition. On October 26, 2009, this court found Saint Torrance to be a vexatious litigator under S.Ct.Prac.R. XIV(5)(B). This court further ordered that Torrance was prohibited from continuing or instituting legal proceedings in this court without first obtaining leave. Upon review of the documents filed in this case, the court finds the case to be without merit. Accordingly,

It is ordered by the court, sua sponte, that the case is dismissed.

2009-1904. Torrance v. Grant.

In Mandamus and Prohibition. On October 26, 2009, this court found Saint Torrance to be a vexatious litigator under S.Ct.Prac.R. XIV(5)(B). This court further ordered that Torrance was prohibited from continuing or instituting legal proceedings in this court without first obtaining leave. Upon review of the documents filed in this case, the court finds the case to be without merit. Accordingly,

It is ordered by the court, sua sponte, that the case is dismissed.