

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

June 9, 2011

[Cite as *06/09/2011 Case Announcements, 2011-Ohio-2774.*]

MERIT DECISIONS WITH OPINIONS

2009-0880. Sunoco, Inc. (R&M) v. Toledo Edison Co., Slip Opinion No. 2011-Ohio-2720.

Public Utilities Commission, No. 07-1255-EL-CSS. Order reversed.

O'Connor, C.J., and Pfeifer, Lundberg Stratton, and McGee Brown, JJ., concur.

O'Donnell, Lanzinger, and Cupp, JJ., dissent.

2010-0211. State ex rel. Baker v. Coast to Coast Manpower, L.L.C., Slip Opinion No. 2011-Ohio-2721.

Franklin App. No. 09AP-287, 2009-Ohio-6663. Judgment of the court of appeals affirmed.

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

Cupp, J., concurs separately.

O'Connor, C.J., and Pfeifer and McGee Brown, JJ., dissent.

Matthew W. McFarland, J., of the Fourth Appellate District, sitting for Lanzinger, J.

2010-0251. State v. Lynn, Slip Opinion No. 2011-Ohio-2722.

Montgomery App. No. 22946, 185 Ohio App.3d 391, 2009-Ohio-6812. Judgment of the court of appeals reversed, and cause remanded to the court of appeals.

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

Lanzinger, J., concurs in judgment only.

Pfeifer, J., dissents.

2010-0670. Sutton v. Tomco Machining, Inc., Slip Opinion No. 2011-Ohio-2723.

Montgomery App. No. 23416, 186 Ohio App.3d 757, 2010-Ohio-830. Judgment of the court of appeals affirmed, and cause remanded to the trial court.

O'Connor, C.J., and Pfeifer, Lundberg Stratton, and McGee Brown, JJ., concur.

O'Donnell, Lanzinger, and Cupp, JJ., dissent.

MOTION AND PROCEDURAL RULINGS

2011-0212. State v. Lloyd

Holmes App. No. 09 CA 12, 2010-Ohio-6562. This cause is pending before the court as an appeal from the Court of Appeals for Holmes County.

On May 20, 2011 and May 24, 2011, appellant filed a motion to expand briefing to include Proposition of Law No. I and an amended motion to expand briefing to include Proposition of Law No. I. Pursuant to S.Ct.Prac.R. 11.2(A), a motion for reconsideration of the court's decision not to accept Proposition of Law No. I was due no later than Monday, May 16, 2011.

Whereas S.Ct.Prac.R. 14.1(D) prohibits untimely filings, it is ordered by the court, sua sponte, that appellant's motion to expand briefing to include Proposition of Law No. I and amended motion to expand briefing to include Proposition of Law No. I are stricken as prohibited by the Rules of Practice.

2011-0213. State v. Dunn.

Montgomery App. No. 23884, 2010-Ohio-6340. This cause is pending before the court as an appeal from the Court of Appeals for Montgomery County.

Upon consideration of attorney Gary Schaengold's motion to withdraw as retained counsel for appellee, it is ordered by the court that the motion is granted.

Upon consideration of appellee's motion for appointment of counsel pursuant to S.Ct.Prac.R. 3.7, it is ordered by the court that the motion is granted, and Gary C. Schaengold of Dayton, Ohio is appointed to represent appellee.

MISCELLANEOUS ORDERS

In re Report of the Commission
On Continuing Legal Education.

Daniel Robert Davies
(#0023716),
Respondent.

Case No. CLE-2004-23716

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 2002-2003 reporting period.

On April 29, 2005, 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 May 6, 2011, the commission filed a recommendation pursuant to Gov.Bar R. X(7)(B)(2), finding that 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, Daniel Robert Davies, is hereby reinstated to the practice of law.