

# The Supreme Court of Ohio

---

## CASE ANNOUNCEMENTS

February 13, 2012

[Cite as *02/13/2012 Case Announcements*, 2012-Ohio-520.]

---

## SLIP OPINIONS REPLACED BY OHIO OFFICIAL REPORTS VERSIONS AS OF FEBRUARY 13, 2012

The official versions of the opinions listed below, which were previously released as slip opinions, have been published in the February 13, 2012 Ohio Official Reports advance sheet. These opinions should now be cited using the Ohio Official Reports citation format.

**2010-0955. State ex rel. Sears Roebuck & Co. v. Indus. Comm., 131 Ohio St.3d 45, 2011-Ohio-6525.**

**2010-1949. State v. Monford, 131 Ohio St.3d 40, 2011-Ohio-6398.**

**2011-0683. State ex rel. Wasserman v. Fremont, 131 Ohio St.3d 52, 2012-Ohio-27.**

**2011-1364. Roberts v. Knab, 131 Ohio St.3d 60, 2012-Ohio-56.**

**2011-1430. State ex rel. Hough v. Saffold, 131 Ohio St.3d 54, 2012-Ohio-28.**

**2011-1438. State ex rel. Nelson v. Russo, 131 Ohio St.3d 51, 2011-Ohio-6552.**

**2011-2152. State ex rel. Waters v. Spaeth, 131 Ohio St.3d 55, 2012-Ohio-69.**

## MOTION AND PROCEDURAL RULINGS

### **2011-1328. State v. Friedman.**

Wayne App. No. 10CA0025, 2011-Ohio-2989. This cause is pending before the court as a discretionary appeal and claimed appeal of right.

Upon consideration of the motion for admission pro hac vice of Orin Kerr, it is ordered by the court that the motion is granted. Pursuant to Gov.Bar R. XII(4), counsel shall file a notice of permission to appear pro hac vice with the Supreme Court's Office of Attorney Services within 30 days of the date of this entry.

### **2011-1473. State v. Hampton.**

Franklin App. No. 10-AP-1109, 2011-Ohio-3486. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County.

Upon consideration of the motion for admission pro hac vice of Lauren S. Kuley, it is ordered by the court that the motion is granted. Pursuant to Gov.Bar R. XII(4), counsel shall file a notice of permission to appear pro hac vice with the Supreme Court's Office of Attorney Services within 30 days of the date of this entry.

### **2012-0020. Fleenor v. Karr.**

Pike App. No. 10CA814, 2011-Ohio-5706. This cause is pending before the court on the certification of a conflict by the Court of Appeals for Pike County. On review of the order certifying a conflict, it is determined that a conflict exists.

It is ordered by the court, sua sponte, that this cause is held for the decision in Supreme Court case No. 2010-2148, *Havel v. Villa St. Joseph*, and the briefing schedule is stayed.

## MISCELLANEOUS DISMISSALS

### **2011-2204. In re Application of Cleveland Elec. Illum. Co.**

Public Utilities Commission, Nos. 09-1947-EL-POR, 09-1948-EL-POR, 09-1949-EL-POR, 09-1942-EL-EEC, 09-1943-EL-EEC, 09-1944-EL-EEC, 09-580-EL-EEC, 09-581-EL-EEC and 09-582-EL-EEC. This cause is pending before the court as an appeal from the Public Utilities Commission of Ohio.

Upon consideration of the application for dismissal of appellant, The Ohio Energy Group, it is ordered by the court that the application for dismissal is granted. The Ohio Energy Group's appeal is dismissed.

The appeal of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company remains pending.

## MISCELLANEOUS ORDERS

### **2011-0751. In re Application of Columbus S. Power Co.**

Public Utilities Commission, No. 10-1261-EL-UNC. This cause is pending before the court as an appeal from the Public Utilities Commission of Ohio and is scheduled for oral argument on Wednesday, March 21, 2012.

It is ordered by the court, sua sponte, that oral argument in this case shall proceed as follows: Industrial Energy Users-Ohio shall argue first and is permitted eight minutes of oral argument time. The Ohio Energy Group and the Office of the Ohio Consumers' Counsel shall argue second and shall share eight minutes of oral argument time. The Columbus Southern Power Company shall argue third and is permitted eight minutes of oral argument time. The Public Utilities Commission of Ohio shall argue fourth and is permitted eight minutes of oral argument time.

Industrial Energy Users-Ohio, the Ohio Energy Group, the Office of the Ohio Consumers' Counsel, and the Columbus Southern Power Company may reserve any portion of their allotted time for rebuttal, and rebuttal shall proceed in the same order as specified above.

## MEDIATION MATTERS

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

### **2012-0203. State ex rel. Lanham v. DeWine.**

In Mandamus.

### **2012-0238. Per County Records: Hamilton Cty. Bd. of Cty. Commrs. v. Hamilton Cty. Bd. of Revision.**

Board of Tax Appeals, No. 2010-K-122.

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

### **2011-0439. Johnson v. Johnson.**

Miami App. No. 2010CA2, 2011-Ohio-500.

### **2011-2096. Columbus City Schools Bd. of Edn. v. Franklin Cty. Bd. of Revision.**

Board of Tax Appeals, No. 2008-Q-2457. The court hereby returns this case to the regular docket under S.Ct.Prac. R. 17.1. Appellant shall file a brief within 40 days

of the date of this entry, and the parties shall otherwise proceed in accordance with S.Ct. Prac. R. 6.2 through 6.7. As provided in S.Ct.Prac. R. 6.7, the court may dismiss this case or take other action if the parties fail to timely file merit briefs.

**2011-2146. Sylvania City Schools Bd. of Edn. v. Lucas Cty. Bd. of Revision.**

Board of Tax Appeals, No. 2011-M-2524. The court hereby returns this case to the regular docket under S.Ct.Prac.R. 17.1. Appellant shall file a brief within 40 days of the date of the filing of the record, and the parties shall otherwise proceed in accordance with S.Ct.Prac.R. 6.2 through 6.7. As provided in S.Ct.Prac.R. 6.7, the court may dismiss this case or take other action if the parties fail to timely file merit briefs.