

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

December 5, 2012

[Cite as *12/05/2012 Case Announcements #2*, 2012-Ohio-5671.]

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## MERIT DECISIONS WITH OPINIONS

**In re Cases Held for the Decision in In re J.V., Slip Opinion No. 2012-Ohio-5625.**

The stay of the mandates is lifted, and the causes are remanded for application of *State v. Williams*, 129 Ohio St.3d 344, 2011-Ohio-3374, 952 N.E.2d 1108, and *In re J.V.*

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

**2009-1292. State ex rel. Doner v. Zehringer, Slip Opinion No. 2012-Ohio-5637.**

In Mandamus. Respondents are held to be in contempt of the court's December 1, 2011 writ.

O'Connor, C.J., and Pfeifer, O'Donnell, Belfance, and McGee Brown, JJ., concur.

Lundberg Stratton and Lanzinger, JJ., dissent.

Eve v. Belfance, J., of the Ninth Appellate District, sitting for Cupp, J.

**2011-0902. Bennett v. Admr., Ohio Bur. of Workers' Comp., Slip Opinion No. 2012-Ohio-5639.**

Lucas App. No. L-10-1185, 2011-Ohio-1264. Judgment affirmed.

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

Lanzinger, J., not participating.

Pfeifer and Lundberg Stratton, JJ., dissent.

Patrick F. Fischer, J., of the First Appellate District, sitting for Lanzinger, J.

**2011-1383. State v. Raber, Slip Opinion No. 2012-Ohio-5636.**

Wayne App. No. 10CA0020, 2011-Ohio-3888. Judgment reversed.

Pfeifer, Lundberg Stratton, O'Donnell, Cupp, and McGee Brown, JJ., concur.

Lanzinger, J., concurs in judgment only.

O'Connor, C.J., dissents.

**2011-1520. In re Application of McKinney, Slip Opinion No. 2012-Ohio-5635.**

On Report by the Board of Commissioners on Character and Fitness, No. 495. Michele L. McKinney's current application to take the bar exam is disapproved, but she may reapply to take the July 2014 bar examination.

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

**2011-1899. Beary v. Larry Murphy Dump Truck Serv., Inc., Slip Opinion No. 2012-Ohio-5626.**

Stark App. No. 2011-CA-00048, 2011-Ohio-4977. Judgment reversed and cause remanded.

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

**2012-0306. Dayton Bar Assn. v. O'Neal, Slip Opinion No. 2012-Ohio-5634.**

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 11-042. Raymond Walter O'Neal Sr., Attorney Registration No. 0031153, is suspended from the practice of law in the state of Ohio for two years, with 18 months stayed on conditions.

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

**2012-0428. In re Application of Zimmerman, Slip Opinion No. 2012-Ohio-5644.**

On Report by the Board of Commissioners on Character and Fitness, No. 518. Brenda Michelle Zimmerman's pending application to take the bar exam is disapproved, but she is permitted to reapply for the July 2014 or a later bar exam, subject to conditions.

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

**2012-0681. Disciplinary Counsel v. Edwards, Slip Opinion No. 2012-Ohio-5643.**

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 11-053. Steve J. Edwards, Attorney Registration No. 0000398, is suspended from the practice of law in Ohio for two years, all stayed on conditions.

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

**2012-1009. Cleveland Metro. Bar Assn. v. Sliwinski, Slip Opinion No. 2012-Ohio-5640.**

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 11-034. Teddy Sliwinski, Attorney Registration No. 0024901, is suspended from the practice of law in Ohio for six months, all stayed on conditions.

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

**2012-1011. Disciplinary Counsel v. Gildee, Slip Opinion No. 2012-Ohio-5641.**

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 11-088. Eva Catherine Gildee, Attorney Registration No. 0072685, is suspended from the practice of law in Ohio for two years, with one year of the suspension stayed on conditions.

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

**2012-1023. Dayton Bar Assn. v. Matlock, Slip Opinion No. 2012-Ohio-5638.**

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 10-003. Michael Duane Matlock, Attorney Registration No. 0008564, is suspended from the practice of law in Ohio for two years, with one year of the suspension stayed on conditions.

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

**2012-1195. State v. Burks, Slip Opinion No. 2012-Ohio-5629.**

Lucas App. No. L-12-11116. Cause dismissed as having been improvidently accepted.

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

**2012-1283. Beyer v. Rieter Automotive N. Am., Inc., Slip Opinion No. 2012-Ohio-5627.**

Lucas App. No. L-11-1110, 2012-Ohio-2807. Discretionary appeal and cross-appeal accepted. Judgment reversed on the authority of *Hewitt v. L.E. Meyers*, \_\_\_ Ohio St.3d \_\_\_, 2012-Ohio-5317, \_\_\_ N.E.2d \_\_\_.

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

Pfeifer, J., dissents and would affirm the judgment of the court of appeals.

**2012-1341. Trumbull Cty. Bar Assn. v. Rucker, Slip Opinion No. 2012-Ohio-5642.**

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 12-028. Gilbert Robert Rucker III, Attorney Registration No. 0034535, is publicly reprimanded.

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