

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

February 23, 2012

[Cite as *02/23/2012 Case Announcements, 2012-Ohio-691.*]

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## MERIT DECISIONS WITH OPINIONS

**2010-1946. Williams v. Ormsby, Slip Opinion No. 2012-Ohio-690.**

Medina App. No. 09CA0085-M, 190 Ohio App.3d 815, 2010-Ohio-4664. The judgment of the court of appeals is reversed.

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

O'Donnell, J., concurs in judgment only.

Pfeifer, J., concurs in part and dissents in part.

**2011-0295. Disciplinary Counsel v. Proctor, Slip Opinion No. 2012-Ohio-684.**

Board of Commissioners on Grievances and Discipline, No. 09-059. Philip Lucas Proctor, Attorney Registration No. 0041956, is suspended from the practice of law for six months.

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

Lundberg Stratton, J., dissents and would impose a 12-month stayed suspension.

**2011-0580. State ex rel. Mullins v. Curran, Slip Opinion No. 2012-Ohio-685..**

Mahoning App. No. 10 MA 76, 2011-Ohio-1312. The judgment of the court of appeals is reversed and the writ is denied.

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

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

Pfeifer, J., dissents.

## MOTION AND PROCEDURAL RULINGS

### **2011-0215. In re M.W.**

Cuyahoga App. No. 94737, 2010-Ohio-6362. This cause is pending before the court as a discretionary appeal and claimed appeal of right.

Upon review of the notice of automatic exclusion of pro hac vice attorney from the Office of Attorney Services, it is evident that Marsha Levick has not filed a timely renewal of registration as required by Gov.Bar R. XII(5). Therefore, it is ordered by the court, sua sponte, that Marsha Levick's pro hac vice admission is revoked and she is prohibited from further participation in this case.

### **2011-1335. Am. Chem. Soc. v. Leadscope, Inc.**

Franklin App. No. 08AP-1026, 2010-Ohio-2725. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County.

Upon review of the notice of automatic exclusion of pro hac vice attorney from the Office of Attorney Services, it is evident that Matthew Samuel Hellman has not filed a timely renewal of registration as required by Gov.Bar R. XII(5). Therefore, it is ordered by the court, sua sponte, that Matthew Samuel Hellman's pro hac vice admission is revoked and he is prohibited from further participation in this case.

### **2011-2005. State v. Dean.**

Clark C.P. No. 05-CR-348. This cause is pending before the court as a death-penalty appeal from the Clark County Court of Common Pleas. Upon consideration of appellant's motion for extension of time to transmit the record, it is ordered by the court that the motion is granted. The record shall be filed no later than April 30, 2012.

## MISCELLANEOUS DISMISSALS

### **2011-1366. State ex rel. Summit v. Wyandot Cty.**

Franklin App. No. 10AP-768, 2011-Ohio-3789. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. The records of this court indicate that appellant has not filed a merit brief, due February 15, 2012, in compliance with the Rules of Practice of the Supreme Court of Ohio and therefore has failed to prosecute this cause with the requisite diligence.

Upon consideration thereof, it is ordered by the court that this cause is dismissed.

**2011-1776. State ex rel. Lockheed Martin Energy Sys., Inc. v. Indus. Comm.**  
Franklin App. No. 10AP-823, 2011-Ohio-5054. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. The records of this court indicate that appellant has not filed a merit brief, due February 15, 2012, in compliance with the Rules of Practice of the Supreme Court of Ohio and therefore has failed to prosecute this cause with the requisite diligence.

Upon consideration thereof, it is ordered by the court that this cause is dismissed.

**2011-1809. State v. Mapp.**

Union App. No. 14-10-34, 2011-Ohio-4468. This cause is pending before the court as a discretionary appeal and claimed appeal of right. The records of this court indicate that appellant has not filed a memorandum in support of jurisdiction, due Friday, February 17, 2012, pursuant to this court's January 18, 2012 entry, and therefore has failed to prosecute this cause with the requisite diligence.

Upon consideration thereof, it is ordered by the court that this cause is dismissed.

**MISCELLANEOUS ORDERS**

**In re Report of the Commission  
On Continuing Legal Education.**

**Sean Gaither Alexander  
(#0066086),  
Respondent.**

**Case No. CLE-2000-66086**

**ORDER OF REINSTATEMENT**

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 1998-1999 reporting period.

On June 1, 2001, this court adopted the recommendation of the commission, imposed a sanction fee upon respondent and suspended 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 February 14, 2012, 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 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, Sean Gaither Alexander, is hereby reinstated to the practice of law.