

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

February 12, 2014

[Cite as *2/12/14 Case Announcements, 2014-Ohio-473.*]

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## MERIT DECISIONS WITH OPINIONS

**2012-1600. Mann v. Northgate Investors, L.L.C., Slip Opinion No. 2014-Ohio-455.**

Franklin App. No. 11AP-684, 2012-Ohio-2871. Judgment affirmed and cause remanded.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

**2012-1741. State v. Miranda, Slip Opinion No. 2014-Ohio-451.**

Franklin App. No. 11AP-788, 2012-Ohio-3971. Judgment affirmed.

Pfeifer, O'Donnell, Kennedy, and O'Neill, JJ., concur.

O'Connor, C.J., and Lanzinger, and Piper, JJ., concur in judgment.

Robin N. Piper III, J., of the Twelfth Appellate District, sitting for French, J.

**2012-1994. Fraley v. Estate of Oeding, Slip Opinion No. 2014-Ohio-452.**

Butler App. No. CA2011-09-0180, 2012-Ohio-4770. Judgment reversed.

O'Connor, C.J., and O'Donnell, Lanzinger, Kennedy, and French, JJ., concur.

Pfeifer and O'Neill, JJ., dissent.

**2013-1240. State ex rel. Dye v. Bradshaw, Slip Opinion No. 2014-Ohio-453.**

Richland App. No. 12CA123, 2013-Ohio-3298. Judgment affirmed.

O'Connor, C.J., and Pfeifer, O'Donnell, Kennedy, French, and O'Neill, JJ., concur.

Lanzinger, J., concurs in judgment only.

## **MOTION AND PROCEDURAL RULINGS**

### **2012-1742. State of ex rel. Sylvester v. Neal.**

In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus.

Upon consideration of the motion of amicus curiae Ohio Attorney General Michael DeWine to participate in oral argument scheduled for Tuesday, February 25, 2014, within time allotted to respondents, it is ordered by the court that the motion is granted and amicus curiae shall share the time allotted to respondents.

### **2013-0364. State ex rel. Fox v. Walters.**

In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus.

Upon consideration of the motion of amicus curiae Ohio Attorney General Michael DeWine to participate in oral argument scheduled for Tuesday, February 25, 2014, within time allotted to respondents, it is ordered by the court that the motion is granted and amicus curiae shall share the time allotted to respondents.

### **2013-0414. State v. Harris.**

Hamilton App. No. C110472, 2013-Ohio-349. This cause is pending before the court as an appeal from the Court of Appeals for Hamilton County.

Upon consideration of appellant's amended motion to reschedule the date of oral argument set for Tuesday, March 11, 2014, it is ordered by the court that the motion is denied.

### **2013-1742. State ex rel. Cornely v. Ohio Public Emps. Retirement Sys.**

Franklin App. No. 12AP-676, 2013-Ohio-4205. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County.

Upon consideration of the joint motion to remand, it is ordered by the court that the motion is granted and the cause is remanded to the court of appeals to rule on the pending motion to vacate.

It is further ordered that the briefing schedule remains stayed and the parties shall notify the court within ten days of the court of appeals ruling on the motion to vacate.

**2014-0211. In re A.I.**

Cuyahoga App. No. 100074. This cause is pending before the court as a jurisdictional appeal.

Upon consideration of appellant's motion for leave to redact, it is ordered by the court that the motion is granted. Appellant shall come to the Supreme Court of Ohio clerk's office and redact all personal identifiers, as defined by Sup.R. 44(H) and S.Ct.Prac.R. 8.6, from the appendix of exhibits filed in this case within ten days of the date of this entry.

**DISCIPLINARY CASES**

**2013-2019. Columbiana Cty. Bar Assn. v. Schory.**

On Certification of Default. Earl Albin Schory II, Attorney Registration No. 0019422, is suspended from the practice of law for an interim period.

**2014-0214. In re Cohen.**

On certified entry of felony conviction. Gregory Alan Cohen, Attorney Registration No. 0061854, is suspended from the practice of law for an interim period, effective as of the date of this entry.

**MISCELLANEOUS DISMISSALS**

**2013-0470. Richmond Hts. Ctr., L.L.C. v. Cuyahoga Cty. Bd. of Revision.**

Board of Tax Appeals, No. 2012-Q-2390. This cause is pending before the court as an appeal from the Board of Tax Appeals. The records of this court indicate that appellant has not filed a merit brief, due February 4, 2014, 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.

**2013-1925. State ex rel. Parisi v. Heck.**

Montgomery App. No. 25709, 2013-Ohio-4948. This cause is pending before the court as an appeal from the Court of Appeals for Montgomery County. The records of this court indicate that appellant has not filed a merit brief, due January 27, 2014, 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 of appellant's motion not to dismiss case, it is ordered by the court that the motion is denied and this cause is dismissed for want of prosecution.

It is further ordered that a mandate be sent to and filed with the clerk of the Court of Appeals for Montgomery County.