

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

April 28, 2016

[Cite as *04/28/2016 Case Announcements*, 2016-Ohio-2710.]

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## MERIT DECISIONS WITH OPINIONS

**2014-1560. State v. Barker, Slip Opinion No. 2016-Ohio-2708.**

Hamilton App. No. C-130214, 2014-Ohio-3245. Judgment reversed and cause remanded.

O'Connor, C.J., and Pfeifer, Lanzinger, French, and O'Neill, JJ., concur.  
O'Donnell, J., dissents with an opinion that Kennedy, J., joins.

**2015-1633. Disciplinary Counsel v. Martinez, Slip Opinion No. 2016-Ohio-2709.**

On Certified Report by the Board of Professional Conduct, No. 2014-109. Hector Gerald Martinez, Attorney Registration No. 0068832, is hereby suspended from the practice of law in Ohio for six months, all stayed on condition.

Pfeifer, Lanzinger, Kennedy, and O'Neill, JJ., concur.  
O'Donnell, J., dissents with an opinion that O'Connor, C.J., and French, J., join.

## MOTION AND PROCEDURAL RULINGS

**2015-1317. Ohio State Bar Assn. v. Owen.**

This matter came on for further consideration upon the filing by respondent of a motion to reduce court costs.

It is ordered by the court, sua sponte, that within ten days of the date of this entry, relator, the Ohio State Bar Association, shall file an itemization of its \$4,312.19 in expenses in this case.

**2016-0104. State ex rel. Fitzgerald v. Ohio Police & Fire Pension Fund Bd. of Trustees.**

Franklin App. No. 14AP-968, 2015-Ohio-5079. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County.

Upon consideration of the joint motion for remand to the court of appeals, 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 in this case is stayed pending further order of this court and the parties shall notify the court within ten days of the court of appeals ruling on the motion to vacate.

**2016-0231. State ex rel. Dynamic Industries, Inc. v. Cincinnati.**

Hamilton App. No. C-150563. This cause is pending before the court as an appeal from the Court of Appeals for Hamilton County.

Upon consideration of appellant's motion to avoid dismissal for want of prosecution, it is ordered by the court that the motion is granted. Appellant shall file its merit brief within seven days of the date of this entry and the briefing in this case shall otherwise proceed in accordance with the Rules of Practice of the Supreme Court of Ohio.

## **DISCIPLINARY CASES**

**2015-1447. In re Mason.**

This matter came on for further consideration upon the filing by respondent of a motion to purge contempt.

Upon consideration thereof, it is ordered by the court that the motion is granted.

## **MISCELLANEOUS DISMISSALS**

**2015-1777. State ex rel. Washington v. Indus. Comm.**

Franklin App. No. 14AP-445, 2015-Ohio-3897. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County.

Upon consideration of appellant's application for dismissal, it is ordered by the court that the application for dismissal is granted. Accordingly, this cause is dismissed.

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