

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

August 15, 2018

[Cite as *08/15/2018 Case Announcements*, 2018-Ohio-3257.]

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## MERIT DECISIONS WITH OPINIONS

**2016-0551. Columbus City Schools Bd. of Edn. v. Franklin Cty. Bd. of Revision, Slip Opinion No. 2018-Ohio-3254.**

Board of Tax Appeals, No. 2014-4633. Decision vacated and cause remanded.

O'Connor, C.J., and Kennedy, French, Fischer, and DeGenaro, JJ., concur.

O'Donnell, J., concurs in part and dissents in part, and would vacate and remand as to tax years 2011 and 2012 and concurs in that part of Justice DeWine's opinion directing the BTA to independently value the property for tax year 2013.

DeWine, J., concurs in part and dissents in part, with an opinion.

**2016-0904. Licking Hts. Bd. of Edn. v. Franklin Cty. Bd. of Revision, Slip Opinion No. 2018-Ohio-3255.**

Board of Tax Appeals, No. 2015-1448. Decision affirmed.

O'Connor, C.J., and Kennedy, French, Fischer, and DeWine, JJ., concur.

O'Donnell, J., dissents, with an opinion joined by DeGenaro, J.

**2017-0087. State v. Carnes, Slip Opinion No. 2018-Ohio-3256.**

Hamilton App. No. C-150752, 2016-Ohio-8019. Judgment affirmed.

O'Donnell, Callahan, French, Klatt, Sadler, and DeGenaro, JJ., concur.

O'Connor, C.J., dissents.

Lynne S. Callahan, J., of the Ninth District Court of Appeals, sitting for Kennedy, J.

William A. Klatt, J., of the Tenth District Court of Appeals, sitting for Fischer, J.

Lisa A. Sadler, J., of the Tenth District Court of Appeals, sitting for DeWine, J.

## MERIT DECISIONS WITHOUT OPINIONS

### **2017-1453. State ex rel. Porterfield v. McKay.**

Trumbull App. No. 2017-T-0062. Sua sponte, cause dismissed for lack of jurisdiction pursuant to R.C. 2323.52(G).

O'Connor, C.J., and O'Donnell, Kennedy, French, Fischer, DeWine, and DeGenaro, JJ., concur.

### **2018-0691. Russell v. Beck.**

In Prohibition. On S.Ct.Prac.R. 12.04 determination, cause dismissed.

O'Connor, C.J., and Kennedy, French, Fischer, DeWine, and DeGenaro, JJ., concur.

O'Donnell, J., dissents and would grant an alternative writ.

### **2018-0750. Baldwin v. Christ Hosp. of Cincinnati, Ohio.**

In Mandamus. On relator's motion to amend complaint. Motion granted. On respondents' motions to dismiss. Motions granted. Cause dismissed.

O'Connor, C.J., and O'Donnell, Kennedy, French, Fischer, DeWine, and DeGenaro, JJ., concur.

### **2018-0773. Feagin v. Robinson.**

In Procedendo. On respondent's motion to dismiss. Motion granted. Cause dismissed.

O'Connor, C.J., and O'Donnell, Kennedy, French, Fischer, DeWine, and DeGenaro, JJ., concur.

### **2018-0831. State ex rel. Arega v. Bessey.**

In Prohibition. On respondents' motion to dismiss. Motion granted. Cause dismissed.

O'Connor, C.J., and O'Donnell, Kennedy, French, Fischer, DeWine, and DeGenaro, JJ., concur.

### **2018-0890. Bocook v. Mohr.**

In Habeas Corpus. Sua sponte, cause dismissed.

O'Connor, C.J., and O'Donnell, Kennedy, French, Fischer, DeWine, and DeGenaro, JJ., concur.

## MOTION AND PROCEDURAL RULINGS

### **2017-1074. State v. Armengau.**

Franklin App. No. 14AP-079, 2017-Ohio-4452. On appellant's motion requesting the court to grant motion and supplemental notice. Motion denied.

### **2017-1462. State v. Powell.**

Summit App. No. 28170, 2017-Ohio-5629. On appellant's motion to reopen. Motion denied.

### **2018-0263. State ex rel. Lundeen v. State Med. Bd.**

In Mandamus and Prohibition. On relator's motion for alternative writ of prohibition. Motion denied.

### **2018-0368. Dixon v. Dankof.**

In Mandamus. On relator's motion for leave to respond. Motion denied.

### **2018-0370. Dixon v. Dankof.**

In Prohibition. On relator's motion for leave to respond. Motion denied.

### **2018-0834. U.S. Bank Natl. Assn. v. Conrad.**

Montgomery App. Nos. 27716 and 27717, 2018-Ohio-994. On appellant's motion for immediate stay of lower court's decision. Motion denied.

### **2018-0843. State v. Nagy.**

Cuyahoga App. No. 105935, 2018-Ohio-1513. On motion for leave to file delayed appeal. Motion denied.

### **2018-0874. State v. Martin.**

Hamilton App. Nos. C-170117, C-170126, and C-170135, 2018-Ohio-1061. On motion for leave to file delayed appeal. Motion denied.

Fischer, J., not participating.

### **2018-0877. State v. Singleton.**

Cuyahoga App. No. 103478, 2016-Ohio-4696. On motion for leave to file delayed appeal. Motion denied.

### **2018-0878. State v. Torres.**

Medina App. No. 17CA0038-M, 2018-Ohio-1173. On motion for leave to file

delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

O'Connor, C.J., and O'Donnell, J., dissent.

**2018-0891. State v. Lane.**

Montgomery App. No. 27347, 2018-Ohio-1320. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

O'Donnell, J., dissents.

**2018-0902. State v. Robinson.**

Franklin App. No. 17AP-5, 2018-Ohio-1809. On motion for leave to file delayed appeal. Motion denied.

Kennedy, J., dissents.

O'Donnell, J., not participating.

**2018-0916. State v. Jackson.**

Franklin App. No. 17AP-309, 2018-Ohio-1068. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

O'Connor, C.J., and O'Donnell and DeWine, JJ., dissent.

**2018-0917. State v. Hargrove.**

Hamilton App. No. C-150268. On motion for leave to file delayed appeal. Motion denied.

Fischer, J., not participating.

**2018-0922. State v. Pichardo-Reyes.**

Butler App. No. CA2016-09-184, 2017-Ohio-8534. On motion for leave to file delayed appeal. Motion denied.

**APPEALS NOT ACCEPTED FOR REVIEW**

**2018-0765. State v. Canales.**

Cuyahoga App. No. 105514, 2018-Ohio-1641.

**2018-0856. State v. Coulon.**

Williams App. No. WM-07-006.

**2018-0920. State v. Fox.**

Franklin App. No. 17AP-295.

**2018-0925. State v. Mayes.**

Montgomery App. No. 27194.

**RECONSIDERATION OF PRIOR DECISIONS**

**2017-1673. Doe v. Gallia Common Pleas Court.**

In Mandamus. Reported at \_\_ Ohio St.3d \_\_, 2018-Ohio-2168, \_\_ N.E.3d \_\_. On motion for reconsideration. Motion denied.

Kennedy, J., dissents.

DeWine and DeGenaro, JJ., not participating.

**2018-0192. Ruiz v. Brecksville.**

Cuyahoga App. No. 105390, 2017-Ohio-9164. Reported at 153 Ohio St.3d 1432, 2018-Ohio-2639, 101 N.E.3d 464. On motion for reconsideration. Motion denied. On motion for extension of stay and request for new hearing. Motions denied.

**2018-0556. State ex. rel. Tri Eagle Fuels, L.L.C. v. Dawson.**

Cuyahoga App. No. 106459. Reported at 152 Ohio St.3d 1488, 2018-Ohio-2154, 99 N.E.3d 424. On motion for reconsideration. Motion denied.