

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

February 28, 2018

[Cite as *02/28/2018 Case Announcements, 2018-Ohio-723.*]

MERIT DECISIONS WITHOUT OPINIONS

2016-1394. Johnson v. Shaker Hts. Mun. Court.

In Mandamus. On motion for judgment on pleadings. Motion granted. Cause dismissed.

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

2017-1618. State ex rel. Cincinnati Enquirer v. Cincinnati Police Dept.

In Mandamus. On answer of respondent. Sua sponte, alternative writ granted. The following briefing schedule is set for presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 12.05.

The parties shall file any evidence they intend to present within 20 days, relator shall file a brief within 10 days after the filing of the evidence, respondent shall file a brief within 20 days after the filing of relator's brief, and relator may file a reply brief within 7 days after the filing of respondent's brief.

Respondent shall file unredacted version of body-cam video for in camera review at the time for filing evidence in this case.

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

2017-1662. State ex rel. James v. Park.

In Mandamus. On respondents' motion to dismiss. Motion granted. Cause dismissed. On relator's motion to strike motion to dismiss and motion for default judgment. Motions denied as moot. On respondents' motion for leave to file

amended motion to dismiss and proposed amended motion to dismiss. Motions denied as moot.

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

2017-1670. State ex. rel. Jackson v. Brush.

In Mandamus and Prohibition. On relator's motion for leave to supplement complaint. Motion granted. On respondents' motion to dismiss. Motion granted. Cause dismissed.

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

2017-1674. Anderson v. Eighth Dist. Court of Appeals.

In Mandamus. On relator's motion for leave to file amended complaint in mandamus. Motion granted. On respondent's motion to dismiss amended complaint. Motion granted. Cause dismissed.

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

DeGenaro, J., not participating.

2017-1682. State ex. rel. Newsome v. Finnegan.

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

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

2017-1694. State ex rel. Khamisi v. Deters.

In Mandamus and 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.

2017-1695. State ex rel. Khamisi v. Deters.

In Mandamus and 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.

2017-1706. Khamisi v. Deters.

In Mandamus and 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.

2017-1707. State ex rel. Khamisi v. Deters.

In Mandamus. On relator's motion for emergency stay of writ of possession pending proceedings. Motion denied. On respondents' motion to dismiss. Motion granted. Cause dismissed.

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

2017-1712. State ex rel. Whitt v. Fifth Dist. Court of Appeals.

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

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

2017-1752. Salser v. Franklin Cty. Court of Common Pleas Judge, Criminal Div.

In Prohibition. On relator's motion for leave to amend. Motion granted. 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.

2017-1766. State ex rel. Prado v. Madison Cty. Court of Common Pleas.

In Mandamus. 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.

2017-1782. State ex rel. Coleman v. Russo.

In Prohibition. On respondent's motion to dismiss second amended petition. Motion granted. Cause dismissed.

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

2017-1827. State ex rel. Dillingham v. Spaeth.

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.

2018-0001. Smith v. Ivy.

In Habeas Corpus. Sua sponte, petition denied as moot.

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

2018-0066. Powers v. Eppinger.

In Habeas Corpus. Sua sponte, cause dismissed.

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

2018-0132. State ex rel. Oliver v. Turner.

In Habeas Corpus. Writ allowed. Allowing the writ means only that a return is ordered. Respondent shall file a return of writ within 21 days of service of the petition, and petitioner may file a response within 10 days after the return is filed. Petitioner's physical presence before the court is not required.

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

MOTION AND PROCEDURAL RULINGS

2014-1290. In re Comm. Rev. of Ohio Adm.Code Chapter 4901:1-10.

Public Utilities Commission, No. 12-2050-EL-ORD. Sua sponte, parties ordered to show cause within 14 days why this case should not be dismissed as moot.

2014-1633. In re Comm. Rev. of Ohio Adm.Code Chapter 4901:1-10.

Public Utilities Commission, No. 12-2050-EL-ORD. Sua sponte, parties ordered to show cause within 14 days why this case should not be dismissed as moot.

2017-1352. Yanega v. Cuyahoga Cty. Bd. of Revision.

Board of Tax Appeals, No. 2016-1585. On appellee's amended motion to dismiss. Motion denied.

2017-1362. Blackstone v. Moore.

Monroe App. No. 14 MO 0001, 2017-Ohio-5704. On review of an order certifying a conflict. It is determined that no conflict exists. Cause dismissed.

Kennedy, Fischer, and DeGenaro, JJ., dissent.

2017-1372. Farmers State Bank v. Sponaugle.

Darke App. No. 2016-CA-4, 2017-Ohio-4322. On review of an order certifying a conflict. It is determined that no conflict exists. Cause dismissed.

O'Donnell, Kennedy, and DeWine, JJ., dissent.

2017-1375. In re Application of 6011 Greenwich Windpark, L.L.C.

Power Siting Board, No. 15-1921-EL-BGA. On appellant's motion to supplement record. Motion denied. On appellee's motion to dismiss and intervening appellee's motion to dismiss. Motions granted in part and denied in part. Appellant's assignment of error No. 2 dismissed. All other assignments of error remain pending.

O'Donnell, J., dissents and would grant the motion to supplement the record and the motions to dismiss the cause.

Kennedy and Fischer, JJ., would grant the motion to supplement the record.

2017-1405. Zambon v. Allen Cty. Probate Court.

Miscellaneous case. On relator's motion of objection to order. Motion denied.

2017-1690. State v. Pelmear.

Fulton App. Nos. F-16-009 and F-16-010. On appellant's motion for contempt. Motion denied. On appellant's motion to disqualify. Motion denied.

2017-1703. State v. Dangler.

Williams App. No. WM-16-010. On review of an order certifying a conflict. The court determines that a conflict exists. The parties are ordered to brief the issue stated at page 3 of the court of appeals' decision filed November 7, 2017: "During a plea hearing, does the failure of the sentencing court to inform a defendant of all of the penalties associated with a sex offender classification imposed by R.C. Chapter 2950 constitute a complete failure to comply with Crim.R. 11 and render the plea void without the need to show prejudice resulted?"

The conflict cases are *State v. Creed*, 8th Dist. Cuyahoga No. 97317, 2012-Ohio-2627, and *State v. Young*, 2d Dist. Greene No. 2013-CA-22, 2014-Ohio-2213.

The clerk shall issue an order for the transmittal of the record from the court of appeals for Williams County.

O'Connor, C.J., and DeWine, J., would hold the cause for the decision in 2017-0891, *State v. Kouts*.

French and Fischer, JJ., dissent.

2017-1715. State v. Bishop.

Montgomery App. No. 27496, 2017-Ohio-8332. On review of an order certifying a conflict. The court determines that a conflict exists. The parties are ordered to brief the issue stated in the court of appeals' entry filed December 5, 2017: "Whether a criminal defendant on PRC for a prior felony must be advised, during his plea hearing in a new felony case, of the trial court's ability under R.C. 2929.141 to terminate his existing PRC and to impose a consecutive prison sentence for the PRC violation."

The conflict cases are *State v. Dotson*, 8th Dist. Cuyahoga No. 101911, 2015-Ohio-2392, and *State v. Hicks*, 5th Dist. Delaware No. 09CA09090088, 2010-Ohio-2985.

Sua sponte, cause consolidated with 2017-1716, *State v. Bishop*, and briefing in Nos. 2017-1715 and 2017-1716 consolidated. The parties shall file two originals of each of the briefs permitted under S.Ct.Prac.R. 16.02 through 16.04 and include both case numbers on the cover page of the briefs. The parties shall otherwise comply with the requirements of S.Ct.Prac.R. 16.01 through 16.04.

The clerk shall issue an order for the transmittal of the record from the court of appeals for Williams County.

DeGenaro, J., not participating.

2017-1784. State v. Long.

Summit App. No. 28214, 2017-Ohio-4421. On motion for leave to file delayed appeal. Motion denied.

2017-1814. State v. Moore.

Trumbull App. No. 2015-T-0072, 2017-Ohio-7024. On motion for leave to file delayed appeal. Motion denied.

2017-1818. State v. Howard.

Hamilton App. No. C-160746. On motion for leave to file delayed appeal. Motion denied.

Fischer, J., not participating.

2017-1822. State v. Shropshire.

Cuyahoga App. No. 104775, 2017-Ohio-8308. 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 French, J., dissent.

2017-1825. State v. Glenn.

Preble App. No. CA2017-10-012. On emergency motion for stay. Motion denied.

2017-1828. State v. Tuff.

Lake App. Nos. 2010-L-082 and 2010-L-083, 2011-Ohio-6846. On motion for leave to file delayed appeal. Motion denied.

2018-0012. State v. Hitchcock.

Fairfield App. No. 16-CA-41, 2017-Ohio-8255. On review of an order certifying a conflict. The court determines that a conflict exists. Cause accepted and held for decision in 2016-1848, *State v. Paige*, and briefing schedule stayed.

DeGenaro, J., not participating.

2018-0022. State v. Clark.

Montgomery App. No. 27365, 2017-Ohio-7633. On motion for leave to file delayed appeal. Motion denied.

Kennedy and DeGenaro, JJ., dissent.

2018-0029. State v. Morris.

Franklin App. No. 17AP-609. On motion for leave to file delayed appeal. Motion denied.

Kennedy and DeGenaro, JJ., dissent.

2018-0033. State v. Dangerfield.

Hamilton App. Nos. C160709, C-160578, and C-160566. On motion for leave to file delayed appeal. Motion fails for want of four votes. Cause dismissed.

O'Donnell, Kennedy, and DeGenaro, JJ., would grant the motion for leave.

Fischer, J., not participating.

2018-0038. State v. Scott.

Cuyahoga App. No. 100980. On motion for leave to file delayed appeal. Motion denied.

2018-0091. Wray v. Speedway, L.L.C.

Erie App. No. E-16-035, 2017-Ohio-7998. On motion to stay judgment pending appeal. Motion granted.

DeWine, J., dissents.

APPEALS ACCEPTED FOR REVIEW

2017-1135. State v. Wintermeyer.

Franklin App. No. 16AP-381, 2017-Ohio-5521. Cause accepted on proposition of law No. I.

O'Donnell and Kennedy, JJ., would accept the cause on all propositions of law.

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

2017-1206. In re D.F.

Coschocton App. Nos. 2016CA0015 and 2016CA0016, 2017-Ohio-7307. Cause accepted, judgment vacated, and cause remanded to the court of appeals for application of *State v. Morgan*, ___ Ohio St.3d ___, 2017-Ohio-7565, ___ N.E.3d ___.

French and Fischer, JJ., dissent.

2017-1292. State v. White.

Hamilton App. Nos. C-160403 and C-160410.

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

Fischer, J., not participating.

2017-1377. Farmers State Bank v. Sponaugle.

Darke App. No. 2016-CA-4, 2017-Ohio-4322. Cause accepted on proposition of law Nos. I and II. Cross-appeal not accepted.

Kennedy and DeWine, JJ., would accept the cause on all propositions of law.

Fischer, J., would accept the cause on all propositions of law and would accept the cross-appeal.

2017-1387. Barclay Petroleum, Inc. v. Bailey.

Hocking App. No. 16CA14, 2017-Ohio-7547. Cause accepted on proposition of law Nos. I and II.

O'Donnell, French, and DeGenaro, JJ., would accept the cause on all propositions of law.

Kennedy, Fischer, and DeWine, JJ., dissent.

2017-1391. David v. Matter.

Sandusky App. No. S-17-006, 2017-Ohio-7351.

O'Donnell and Kennedy, JJ., dissent.

2017-1639. Blackstone v. Moore.

Monroe App. No. 14 MO 0001, 2017-Ohio-5704.

O'Donnell, Fischer, and DeWine, JJ., dissent.

2017-1716. State v. Bishop.

Montgomery App. No. 27496, 2017-Ohio-8332. Sua sponte, cause consolidated with 2017–1715, *State v. Bishop*, and briefing in Nos. 2017–1716 and 2017–1715 consolidated. The parties shall file two originals of each of the briefs permitted under S.Ct.Prac.R. 16.02 through 16.04 and include both case numbers on the cover page of the briefs. The parties shall otherwise comply with the requirements of S.Ct.Prac.R. 16.01 through 16.04.

O'Donnell and French, JJ., dissent.

DeGenaro, J., not participating.

APPEALS NOT ACCEPTED FOR REVIEW

2017-0802. State v. Cochran.

Franklin App. No. 16AP-491, 2017-Ohio-1528.

2017-0822. State v. Wright.

Hamilton App. No. C-150715, 2017-Ohio-1568.

Fischer, J., not participating.

2017-0907. State v. Garn.

Richland App Nos. 16CA26 and 16CA32, 2017-Ohio-2969.

Fischer, J., dissents and would accept the cause on proposition of law No. II.

2017-1065. Wilson v. McCormack.

Ashtabula App. No. 2016-A-0039, 2017-Ohio-5510.

Fischer, J., dissents.

2017-1085. Ward v. Rippe.

Clermont App. No. CA2016-10-067, 2017-Ohio-5505.

2017-1095. State v. Wilson.

Allen App. No. 1-16-57, 2017-Ohio-5484.

2017-1099. Krlich v. Clemente.

Trumbull App. No. 2015-T-0129, 2017-Ohio-5633.

O'Donnell, J., dissents.

2017-1102. State v. Bentz.

Allen App. No. 1-16-17, 2017-Ohio-5483.

2017-1106. Toney v. Dayton.

Montgomery App. No. 27245, 2017-Ohio-5618.

French and Fischer, JJ., dissent.

O'Donnell, J., not participating.

2017-1115. State ex rel. Walgate v. Kasich.

Franklin App. No. 16AP-737, 2017-Ohio-5528.

2017-1116. State v. Johnson.

Jefferson App. No. 15 JE 0020, 2017-Ohio-5708.

O'Donnell, J., dissents.

DeGenaro, J., not participating.

2017-1117. Am. Hotel Group, L.L.C. v. Wyandotte Plaza, L.L.C.

Franklin App. No. 16AP-296, 2017-Ohio-5520.

2017-1118. Morgan v. Wise.

Lorain App. No. 17CA011092.

2017-1119. Specialty Executives, Inc. v. KDH Defense Sys., Inc.

Morrow App. No. 16CA0012, 2017-Ohio-4399. Appeal and cross-appeal not accepted.

Fischer, J., dissents and would accept the appeal.

2017-1123. State v. Fambro.

Trumbull App. No. 2016-T-0063, 2017-Ohio-5646.

2017-1124. State v. Kaaz.

Clinton App. No. CA2016-05-010, 2017-Ohio-5669.

2017-1126. Knoefel v. Connick.

Lake App. No. 2016-L-131, 2017-Ohio-5642.

2017-1128. U.S. Bank Natl. Assn. v. Robinson.

Cuyahoga App. No. 105067, 2017-Ohio-5585.

DeGenaro, J., not participating.

2017-1129. State v. Young.

Cuyahoga App. No. 104861, 2017-Ohio-5579.

2017-1136. State v. Brandeberry.

Lucas App. No. L-16-1137, 2017-Ohio-5676.

2017-1138. State v. South.

Geauga App. No. 2016-G-0083, 2017-Ohio-5636.

2017-1139. State v. Armstead-Williams.

Portage App. No. 2016-P-0007, 2017-Ohio-5643.

2017-1142. Toledo v. Cassidy.

Lucas App. No. L-15-1291, 2017-Ohio-5677.

2017-1151. Leight v. Osteosymbionics, L.L.C.

Cuyahoga App. No. 105101, 2017-Ohio-5749. Appellants' motion to correct clerical error granted.

2017-1156. State v. Stewart.

Delaware App. No. 17 CAA 01 0004, 2017-Ohio-2842.

Kennedy, DeWine, and DeGenaro, JJ., dissent.

2017-1161. Praetorium Secured Fund I, L.P. v. Keehan Tennessee Invests., L.L.C.

Lorain App. No. 15CA010757, 2016-Ohio-8391.

2017-1175. Knight v. Altercare Post-Acute Rehab. Ctr., Inc.

Portage App. No. 2016-P-0045, 2017-Ohio-6946.

2017-1180. State v. Gillespie.

Paulding App. No. 11-16-07, 2017-Ohio-6936.

2017-1188. Marshall v. Cooper & Elliott.

Cuyahoga App. No. 104959, 2017-Ohio-5813.

French, J., dissents and would accept the cause on proposition of law Nos. I and II.

Fischer, J., dissents.

2017-1189. State v. Pickett.

Montgomery App. No. 27457, 2017-Ohio-5830.

Fischer, J., not participating.

2017-1190. State v. Wheeler.

Montgomery App. No. 27282, 2017-Ohio-4013.

Fischer, J., not participating.

2017-1196. State v. Burge.

Lorain App. No. 16CA010936, 2017-Ohio-5836.

2017-1199. Snyder v. Ohio Real Estate Appraiser Bd.

Tuscarawas App. No. 2016 AP 11 0058, 2017-Ohio-5790.

2017-1207. Howell v. Consol. Rail Corp.

Cuyahoga App. No. 104554, 2017-Ohio-6881.

Kennedy, French, and DeWine, JJ., dissent.

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

2017-1217. In re Estate of Kiefer.

Miami App. No. 2016-CA-12, 2017-Ohio-6997.

2017-1222. LaMusga v. Summit Square Rehab, L.L.C.

Montgomery App. No. 27186, 2017-Ohio-6907.

2017-1229. State v. Doogs.

Wood App. Nos. WD-15-073 and WD-16-027, 2017-Ohio-6914. Appellee's motion to strike denied as moot.

2017-1235. Petty v. Blount-Petty.

Stark App. No. 2016CA00226, 2017-Ohio-7035.

2017-1236. Church at Warren v. Warzala.

Trumbull App. No. 2016-T-0073, 2017-Ohio-6947.

2017-1237. Siegel v. Ringer.

Hamilton App. No. C-160659, 2017-Ohio-6969.
Fischer, J., not participating.

2017-1243. In re T.R.

Hamilton App. Nos. C-170287 through C-170316.

2017-1248. Cohen v. Dulay.

Summit App. No. 28071, 2017-Ohio-6973.
O'Donnell, J., dissents.

2017-1249. Hornschemeier v. Buehrer.

Clermont App. No. CA2016-11-079, 2017-Ohio-7021.

2017-1251. State v. Pippin.

Hamilton App. Nos. C-160380 and C-160381, 2017-Ohio-6970.
Fischer and DeWine, JJ., not participating.

2017-1254. State v. Lester.

Franklin App. No. 16AP-824, 2017-Ohio-6972.

2017-1256. Konarzewski v. Ganley, Inc.

Cuyahoga App. No. 104681, 2017-Ohio-4297.

2017-1261. State v. Jackson.

Franklin App. No. 16AP-728, 2017-Ohio-6971.

2017-1264. Chateau Estate Homes, L.L.C. v. Fifth Third Bank.

Hamilton App. No. C-160703, 2017-Ohio-6985.

O'Connor, C.J., and DeGenaro, J., dissent and would accept the cause on proposition of law No. I.

Fischer, J., not participating.

2017-1266. State v. Guy.

Wood App. No. WD-16-045, 2017-Ohio-7006.

2017-1267. Dueck v. Clifton Club Co.

Cuyahoga App. Nos. 103868 and 103888, 2017-Ohio-7161. Appeal and second appeal not accepted.

O'Donnell, J., dissents.

2017-1268. Fry v. FCA US, L.L.C.

Lucas App. No. L-16-1230, 2017-Ohio-7005.

2017-1269. State v. Fears.

Cuyahoga App. No. 104868, 2017-Ohio-6978.

2017-1270. State v. Armes.

Medina App. No. 16CA0074-M, 2017-Ohio-7011.

2017-1272. State v. Phelan.

Geauga App. No. 2016-G-0061, 2017-Ohio-7025.

2017-1280. State v. Terrell.

Clark App. No. 2016-CA-32, 2017-Ohio-7097.

2017-1282. Univ. of Findlay v. Martin.

Hancock App. No. 5-17-02, 2017-Ohio-7016.

2017-1290. Fowler v. Dept. of Pub. Safety.

Franklin App. No. 16AP-867, 2017-Ohio-7038.

O'Donnell, J., dissents.

2017-1301. State v. Colbert.

Hamilton App. No. C-160702.

Fischer, J., not participating.

2017-1304. Deutsche Bank Natl. Trust v. Yevtich.

Fulton App. No. F-16-004, 2017-Ohio-7111.

2017-1306. Fritzgerald v. Cleveland Civ. Serv. Comm.

Cuyahoga App. No. 104492, 2017-Ohio-7086.

2017-1307. Strongsville v. Johnson.

Cuyahoga App. No. 104577, 2017-Ohio-7066.

DeGenaro, J., not participating.

2017-1310. State v. Hicks.

Wayne App. No. 16AP0019, 2017-Ohio-7014.

2017-1314. Cornell v. Mississippi Lime Co.

Columbiana App. No. 16 CO 0005, 2017-Ohio-7160.

DeGenaro, J., not participating.

2017-1317. State ex rel. Flaiz v. Merscorp, Inc.

Geauga App. No. 2016-G-0079, 2017-Ohio-7126.

Fischer, J., not participating.

2017-1325. State v. Cartwright.

Fayette App. No. CA2016-11-018, 2017-Ohio-7212.

Fischer and DeWine, JJ., dissent.

2017-1329. Gill v. Guru Gobind Singh Sikh Soc. of Cleveland.

Cuyahoga App. No. 104634, 2017-Ohio-7163.

2017-1330. Michael A. Shore Co., L.P.A. v. Estate of Hards.

Geauga App. No. 2015-G-0038, 2017-Ohio-7123.

2017-1338. State v. Edwards.

Summit App. No. 28164, 2017-Ohio-7231.

2017-1342. State v. Short.

Montgomery App. No. 27192, 2017-Ohio-7200.

O'Donnell, J., dissents.

2017-1347. State ex rel. DeWine v. Helms.

Summit App. No. 28304, 2017-Ohio-7148.

2017-1348. Wright v. Mirza.

Hamilton App. No. C-160734, 2017-Ohio-7183.

Fischer, J., not participating.

2017-1351. Lang v. Beachwood Pointe Care Ctr.

Cuyahoga App. No. 104691, 2017-Ohio-1550.

2017-1356. Cleveland v. Bryant.

Cuyahoga App. No. 105079, 2017-Ohio-7246.

2017-1370. State v. Fisher.

Ross App. No. 16CA3553, 2017-Ohio-7260.

Fischer, J., dissents.

2017-1371. Young v. Eagle.

Clermont App. No. CA2016-09-063, 2017-Ohio-7211.

2017-1373. State v. Gardner.

Cuyahoga App. No. 104677, 2017-Ohio-7241.

O'Donnell, J., dissents.

DeGenaro, J., not participating.

2017-1376. Smith v. Soci Petroleum, Inc.

Hamilton App. No. C-160477, 2017-Ohio-7224.

Fischer, J., not participating.

2017-1380. Cleveland v. Primm.

Cuyahoga App. No. 104963, 2017-Ohio-7242.

O'Donnell and Fischer, JJ., dissent.

DeGenaro, J., not participating.

2017-1385. Rural Bldg. of Cincinnati, L.L.C. v. Mercer.

Hamilton App. No. C-160760, 2017-Ohio-7226.

Fischer, J., not participating.

2017-1389. State v. Terry.

Clark App. No. 2016-CA-65, 2017-Ohio-7266.

2017-1390. State v. Richmond.

Cuyahoga App. No. 104713, 2017-Ohio-2656.

2017-1393. State v. Griffin.

Athens App. No. 16CA4, 2017-Ohio-6877.

2017-1395. BNA Constr., Ltd. v. Dir., Dept. of Job & Family Servs.

Franklin App. No. 16AP-317, 2017-Ohio-7227.

2017-1396. State v. Bullucks.

Hamilton App. No. C-160634.

Fischer, J., not participating.

2017-1401. Yambrisak v. State.

Richland App. No. 17CA8, 2017-Ohio-7310.

2017-1403. State v. Bullucks.

Hamilton App. No. C-160635.

Fischer, J., not participating.

2017-1415. State v. Durette.

Cuyahoga App. No. 104050, 2017-Ohio-7314.

2017-1433. In re D.D.S.

Summit App. No. 28737.

French, J., dissents.

2017-1459. Portage Roofing, Inc. v. Coates Constr. Co., Inc.

Mahoning App. No. 15 MA 0175, 2017-Ohio-7560.

DeGenaro, J., not participating.

2017-1477. State v. Pitts.

Hamilton App. No. C-160675, 2017-Ohio-7467.

Fischer, J., not participating.

2017-1480. State v. Morgan.

Hamilton App. No. C-160495, 2017-Ohio-7489.

Fischer, J., not participating.

2017-1492. State v. Whites Landing Fisheries, L.L.C.

Erie App. No. E-16-040, 2017-Ohio-7537.

O'Donnell, J., dissents.

2017-1495. State v. Dues.

Cuyahoga App. No. 105388, 2017-Ohio-6983.

2017-1542. State v. Zimpfer.

Montgomery App. No. 27671.

2017-1544. State v. Mundt.

Noble App. No. 17 NO 0446, 2017-Ohio-7771.

DeGenaro, J., not participating.

2017-1545. State v. Young.

Erie App. No. E-16-003, 2017-Ohio-4476.

2017-1621. State v. Parker.

Cuyahoga App. No. 82687.

2017-1717. State v. McDaniel.

Meigs App. No. 12CA6.

2017-1721. State v. Walker.

Richland App. No. 09CA88.

2017-1761. State v. Smith.

Cuyahoga App. No. 104263, 2017-Ohio-8399.

2017-1781. State v. Dahms.

Seneca App. No. 13-16-16, 2017-Ohio-4221.

2017-1790. State v. Roush.

Franklin App. No. 12AP-201.

2017-1809. State v. Sibrian.

Montgomery App. No. 27041, 2017-Ohio-2613.

RECONSIDERATION OF PRIOR DECISIONS

2016-0387. State ex rel. Clay v. Cuyahoga Cty. Med. Examiner's Office.

Cuyahoga App. No. 103514, 2016-Ohio-407. Reported at __ Ohio St.3d __, 2017-Ohio-8714, 58 N.E.3d 552. On motion for reconsideration. Motion denied.

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

2017-0234. State ex rel. Martin v. Buchanan.

Cuyahoga App. No. 105063, 2017-Ohio-301. Reported at __ Ohio St.3d __, 2017-Ohio-9163, __ N.E.3d __. On motion for reconsideration. Motion denied.

2017-0630. Zidron v. Metts.

Franklin App. No. 15AP-1049, 2017-Ohio-1118. Reported at 151 Ohio St.3d 1473, 2017-Ohio-9111, 87 N.E.3d 1271. On motion for reconsideration. Motion denied.

2017-0643. State ex rel. McKinney v. Schmenk.

Defiance App. No. 4-17-03. Reported at __ Ohio St.3d __, 2017-Ohio-9183, __ N.E.3d __. On motion for reconsideration. Motion denied.

2017-0647. Deutsche Bank Natl. Trust Co. v. Eversole.

Erie App. No. E-16-011, 2017-Ohio-1217. Reported at 151 Ohio St.3d 1474, 2017-Ohio-9111, 87 N.E.3d 1271. On motion for reconsideration. Motion denied.

2017-0656. Moore v. Cleveland.

Cuyahoga App. Nos. 104466, 104471, 104527, and 104529, 2017-Ohio-1156. Reported at 151 Ohio St.3d 1474, 2017-Ohio-9111, 87 N.E.3d 1271. On motion for reconsideration. Motion denied.

Kennedy and French, JJ., dissent.

2017-1244. Bank of Am., N.A. v. Brown.

Cuyahoga App. No. 105954. Reported at 151 Ohio St.3d 1476, 2017-Ohio-9111, 87 N.E.3d 1273. On motion for reconsideration. Motion denied.

2017-1343. State v. Neil.

Franklin App. Nos. 14AP-981 and 15AP-594, 2016-Ohio-4762. Reported at 151 Ohio St.3d 1476, 2017-Ohio-9111, 87 N.E.3d 1273. On motion for reconsideration. Motion denied.

BTA APPEAL TRANSFERS

2017-1702. Terrazza 8, L.L.C. v. Franklin Cty. Bd. of Revision.

Franklin App. No. 17AP-815 and Board of Tax Appeals Nos. 2015-279 and 2015-280. Petition to transfer appeal denied pursuant to S.Ct.Prac.R. 10.01(E)(3).

Kennedy and French, JJ., dissent.