

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

October 24, 2018

[Cite as *10/24/2018 Case Announcements #2*, 2018-Ohio-4285.]

MOTION AND PROCEDURAL RULINGS

2018-1196. State v. Shank.

Medina App. No. 12CA0104-M, 2013-Ohio-5368. On motion for leave to file delayed appeal. Motion denied.

2018-1208. State v. Ivery.

Summit App. No. 28551, 2018-Ohio-2177. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

2018-1245. State v. Rucker.

Franklin App. No. 17AP-859. On motion for leave to file delayed appeal. Motion denied.

2018-1249. State v. Clifford.

Hamilton App. No. C-170279. On motion for leave to file delayed appeal. Motion denied.

Kennedy and Fischer, JJ., dissent.

2018-1257. State v. Dilo.

Franklin App. No. 16AP-324, 2018-Ohio-2316. On motion for leave to file delayed appeal. Motion denied.

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

2018-1270. State v. Clements.

Hamilton App. No. C-170447. 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 and Fischer, JJ., dissent.

APPEALS ACCEPTED FOR REVIEW

2018-1131. Youngstown City School Dist. Bd. of Edn. v. State.

Franklin App. No. 17AP-775, 2018-Ohio-2532.

O'Connor, C.J., would accept the appeal on proposition of law No. I only.

O'Donnell and DeWine, JJ., dissent.

2018-1137. Nationwide Mut. Fire Ins. Co. v. Pusser.

Mahoning App. No. 17 MA 0117, 2018-Ohio-3597.

O'Connor, C.J., dissents.

2018-1144. State v. Harper.

Franklin App. No. 17AP-762, 2018-Ohio-2529.

O'Connor, C.J., and Kennedy and Fischer, JJ., dissent.

2018-1176. State v. Straley.

Highland App. No. 17CA4, 2018-Ohio-3080.

Kennedy, French, and Fischer, JJ., dissent.

APPEALS NOT ACCEPTED FOR REVIEW

2018-0764. State v. Carter.

Butler App. No. CA2017-04-045, 2018-Ohio-218.

2018-0991. N. Ridgeville v. Roth.

Lorain App. No. 17CA011083, 2018-Ohio-2564.

2018-1074. State v. Jenkins.

Cuyahoga App. No. 105881, 2018-Ohio-2397.

French, J., dissents.

DeGenaro, J., not participating.

2018-1075. State v. Stein.

Mercer App. No. 10-17-13, 2018-Ohio-2345.

2018-1078. State v. Smith.

Muskingum App. No. CT2017-0044, 2018-Ohio-2366.

2018-1080. State v. Middleton.

Cuyahoga App. No. 106202, 2018-Ohio-2524.

DeGenaro, J., not participating

2018-1083. State v. Rutherford.

Pike App. No. 17CA883, 2018-Ohio-2638.

2018-1086. James v. Hoffman.

Montgomery App. No. 27735, 2018-Ohio-2422.

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

2018-1089. Copen v. CRW, Inc.

Wayne App. No. 17AP0016, 2018-Ohio-2347.

2018-1093. Justice v. Schell.

Summit App. No. 28430, 2018-Ohio-1177.

2018-1106. RBS Citizens NA v. Sharp.

Mahoning App. No. 17 MA 0059, 2018-Ohio-2480.

French and Fischer, JJ., dissent.

DeGenaro, J., not participating.

2018-1107. Boggs v. Denmead.

Franklin App. No. 17AP-199, 2018-Ohio-2408.

O'Donnell, J., not participating.

2018-1109. State v. Weaver.

Muskingum App. No. CT2017-0075, 2018-Ohio-2509.

Fischer and DeGenaro, JJ., dissent and would accept the appeal on proposition of law No. III.

2018-1114. State v. Haddix.

Stark App. No. 2018CA00035, 2018-Ohio-2833.

2018-1115. State v. Diggs.

Belmont App. No. 16 BE 0036, 2018-Ohio-3729.

2018-1118. D & L Ferguson, L.L.C. v. Thompson.

Stark App. No. 2017 CA 00194, 2018-Ohio-2473.

O'Donnell and Fischer, JJ., dissent.

2018-1119. Redman v. Sheward.

Franklin App. No. 18AP-98, 2018-Ohio-2609.

2018-1123. Etheridge v. Etheridge.

Hamilton App. No. C-170629, 2018-Ohio-2537.

2018-1124. Smith v. Wyandot Mem. Hosp.

Wyandot App. No. 16-17-07, 2018-Ohio-2441.

O'Donnell, French, and DeGenaro, JJ., dissent.

2018-1126. State v. Cope.

Columbiana App. No. 17 CO 0005, 2018-Ohio-2479.

2018-1127. KB Resources, L.L.C. v. Patriot Energy Partners, L.L.C.

Columbiana App. No. 17 CO 0002, 2018-Ohio-2771.

2018-1132. State v. Naples.

Lorain App. No. 17CA011169, 2018-Ohio-2562.

French and DeGenaro, JJ., dissent.

2018-1133. Payson v. Hennessey.

Warren App. No. CA2017-03-030, 2018-Ohio-2437.

2018-1139. State v. Darr.

Summit App. No. 17CA0006-M, 2018-Ohio-2548.

2018-1142. Unifund CCR Partners v. Piaser.

Ashtabula App. No. 2017-A-0003, 2018-Ohio-2575.

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

2018-1145. Primm v. Stammitti.

Lorain App. No. 17CA011153, 2018-Ohio-2586.

O'Donnell and Fischer, JJ., dissent.

2018-1146. Muldowney v. Portage Cty. Bd. of Commrs.

Portage App. No. 2017-P-0072, 2018-Ohio-2579.

2018-1149. State v. Fisher.

Jackson App. No. 17CA5, 2018-Ohio-2718.

2018-1150. State v. Westerfield.

Crawford App. No. 3-17-16, 2018-Ohio-2139.

2018-1153. Hooks v. Hooks.

Richland App. No. 18CA42.

2018-1155. State v. Stout.

Hardin App. No. 6-10-16.

2018-1158. McKiddy v. McKiddy.

Hamilton App. No. C-170346.

2018-1159. Bellaire Corp. v. Am. Empire Surplus Lines Ins. Co.

Cuyahoga App. No. 106243, 2018-Ohio-2517.

2018-1160. State v. Griffin.

Hamilton App. Nos. C-170155 and C-170156.

2018-1164. State v. Adkins.

Wood App. No. WD-16-042, 2018-Ohio-2588.

2018-1165. GMAC Mtge., L.L.C. v. Giuliano.

Trumbull App. No. 2011-T-0086, 2018-Ohio-1669.

French, J., dissents and would accept the appeal on proposition of law No. I.

2018-1166. State v. Remy.

Clark App. No. 2017-CA-6, 2018-Ohio-2856.

2018-1169. State v. Hathaway.

Wayne App. No. 17AP0033, 2018-Ohio-2552.

2018-1175. Thomas v. Dept. of Job & Family Servs.

Cuyahoga App. No. 107358.

2018-1184. State v. Barker.

Montgomery App. No. 27472, 2018-Ohio-2044.

2018-1192. State v. Johnson.

Cuyahoga App. No. 105560, 2018-Ohio-2836.

2018-1234. State v. Young.

Lorain App. No. 16CA011045, 2018-Ohio-2797.

2018-1240. State v. Cody.

Cuyahoga App. No. 107471.

2018-1247. State v. Vargas.

Cuyahoga App. No. 107250.

DeGenaro, J., not participating.

2018-1271. State v. Nicholson.

Cuyahoga App. No. 105958, 2018-Ohio-2932.

DeGenaro, J., not participating.

RECONSIDERATION OF PRIOR DECISIONS

2018-0742. Mentch v Cuyahoga Cty. Pub. Library Bd.

Cuyahoga App. No. 105963. Reported at 153 Ohio St.3d 1462, 2018-Ohio-3258, 104 N.E.3d 792. On appellant's motion for reconsideration. Motion denied.

O'Donnell, J., dissents.

2018-0807. State v. Schoenlein.

Wood App. No. WD-17-031. Reported at 153 Ohio St.3d 1462, 2018-Ohio-3258, 104 N.E.3d 792. On appellant's motion for reconsideration. Motion denied.

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

Montgomery App. Nos. 27716 and 27717. Reported at 153 Ohio St.3d 1462, 2018-Ohio-3258, 104 N.E.3d 792. On appellant's motion for reconsideration. Motion denied. Appellant's second motion for immediate stay of lower court's decision denied.

2018-0838. State v. Hawthorne.

Cuyahoga App. No. 105121. Reported at 153 Ohio St.3d 1462, 2018-Ohio-3258, 104 N.E.3d 792. On appellant's motion for reconsideration. Motion denied.

O'Donnell and Kennedy, JJ., dissent.

2018-0850. State v. Lee.

Cuyahoga App. No. 105894. Reported at 153 Ohio St.3d 1462, 2018-Ohio-3258, 104 N.E.3d 792. On appellant's motion for reconsideration. Motion denied.

French and DeWine, JJ., dissent.

DeGenaro, J., not participating

2018-0946. State v. Harris.

Hamilton App. No. C-170428. Reported at 153 Ohio St.3d 1462, 2018-Ohio-3258, 104 N.E.3d 792. On appellant's motion for reconsideration. Motion denied.

Fischer, J., not participating.