

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

May 7, 2019

[Cite as *05/07/2019 Case Announcements*, 2019-Ohio-1721.]

MERIT DECISIONS WITH OPINIONS

2018-0399. State ex rel. Greene Cty. Bd. of Commrs. v. O’Diam, Slip Opinion No. 2019-Ohio-1676.

In Prohibition. Peremptory writ of prohibition granted. Respondent’s motion to dismiss and Judges Michael A. Buckwalter and Stephen A. Wolaver’s motion to intervene denied. Motion for leave of amicus curiae Ohio Association of Probate Judges to file memorandum in support of respondent’s motion to dismiss granted.

O’Connor, C.J., and French, Fischer, DeWine, and Stewart, JJ., concur.

Kennedy and Donnelly, JJ., concur in part and dissent in part and would grant an alternative writ.

2018-1195. Smith v. Sheldon, Slip Opinion No. 2019-Ohio-1677.

Richland App. No. 18CA47, 2018-Ohio-3233. Judgment affirmed. Appellant’s “motion for summary judgment, or alternatively grant injunction, or alternatively grant stay of the common pleas courts judgment(s)” denied.

O’Connor, C.J., and Kennedy, French, Fischer, DeWine, Donnelly, and Stewart, JJ., concur.

AFFIDAVITS OF DISQUALIFICATION

The chief justice has released the following judicial-disqualification opinions, which were previously issued as entries in response to affidavits of disqualification filed pursuant to R.C. 2701.03.

19-AP-017. In re Disqualification of Culotta, 2019-Ohio-1708 (decided Mar. 12, 2019).

19-AP-021. In re Disqualification of Pokorny, 2019-Ohio-1709 (decided Feb. 27, 2019).

MOTION AND PROCEDURAL RULINGS

2018-0447. State ex rel. O’Diam v. Greene Cty. Bd. of Commrs.

In Mandamus. On respondents’ motion for judgment on the pleadings. Motion granted in part as to relator’s claim to control Courtroom 3 and denied as to relator’s appointment-of-counsel claim. Alternative writ granted as to relator’s appointment-of-counsel claim.

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 of the filing of the evidence, respondents 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 respondents’ brief.

Relator’s motion for a limited peremptory writ of mandamus or, alternatively, a stay of Resolution 18-3-8-26, pending the resolution of this case on the merits denied as moot. Judges Michael A. Buckwalter and Stephen A. Wolaver’s motion to intervene denied as moot.

O’Connor, C.J., and French, Fischer, and Stewart, JJ., concur.

Kennedy and DeWine, JJ., concur in part and dissent in part and would grant the motion for judgment on the pleadings in full and would not grant an alternative writ.

Donnelly, J., concurs in part and dissents in part and would grant the motion to intervene.

DISCIPLINARY CASES

2015-0293. Disciplinary Counsel v. Williams.

On respondent’s application to terminate probation. Application denied.

2019-0489. Trumbull Cty. Bar Assn. v. Lutseck.

On certification of default. John Patrick Lutseck, Attorney Registration No. 0003696, last known business address in Vienna, Ohio, suspended from the practice of law for an interim period.

2019-0598. In re Connors.

On certified entry of felony conviction. David Kelsey Connors, Attorney Registration No. 0090404, last known business address in Columbus, Ohio, suspended from the practice of law for an interim period.