

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

May 22, 2019

[Cite as *05/22/2019 Case Announcements*, 2019-Ohio-1817.]

MERIT DECISIONS WITH OPINIONS

2018-1172. State ex rel. White v. Woods, Slip Opinion No. 2019-Ohio-1893.

Franklin App. No. 17AP-620, 2018-Ohio-2954. Judgment affirmed.

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

Kennedy, J., concurs in judgment only, with an opinion joined by DeWine, J.

2018-1754. Disciplinary Counsel v. Selby, Slip Opinion No. 2019-Ohio-1894.

On Certified Report by the Board of Professional Conduct, No. 2018-037. Joan Patricia Selby, Attorney Registration No. 0024557, last known business address in Canton, Ohio, suspended from the practice of law for one year, stayed on conditions.

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

Kennedy, J., dissents and would remand the cause to the Board of Professional Conduct.

2018-1763. Disciplinary Counsel v. Bereday, Slip Opinion No. 2019-Ohio-1895.

On Certified Report by the Board of Professional Conduct, No. 2018-017. Thaddeus Matthew Sigmund Bereday, Attorney Registration No. 0061991, last known business address in Tampa, Florida, indefinitely suspended from the practice of law with credit for time served under his November 27, 2017 interim suspension.

French, DeWine, Donnelly, and Stewart, JJ., concur.

O'Connor, C.J., and Kennedy and Fischer, JJ., concur in part and dissent in part and would not give credit for time served.

MERIT DECISIONS WITHOUT OPINIONS

2018-1666. State ex rel. Kitrick v. Columbus.

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

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

2019-0270. State ex rel. Evans v. Tenth Dist. Court of Appeals Judges.

In Mandamus and Prohibition. On motions to dismiss of respondents. Motions granted. Cause dismissed.

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

2019-0290. State ex rel. Staats v. Giavasis.

In Mandamus. On respondent's motion to dismiss. Motion granted. Cause dismissed. Relator's motion to strike motion to dismiss denied. Relator's motion to dismiss denied. Relator's motion to amend and supplement motion to dismiss denied. Respondent's motion to find relator a vexatious litigator pursuant to S.Ct.Prac.R. 4.03(B) granted.

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

Kennedy, DeWine, and Stewart, JJ., concur in part and dissent in part and would deny respondent's motion to find relator a vexatious litigator.

2019-0323. Anderson v. Kilbane.

In Procedendo. On relator's "motion for stay hearing set for March 8, 2019," "motion comparison of two cases with the same criminal cause of action," and motion to convert to a writ of prohibition. Motions denied as moot. Respondent's motion to dismiss granted. Cause dismissed.

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

2019-0334. State ex rel. Small v. Tenth Dist. Court of Appeals Judges.

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

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

2019-0345. State ex rel. Allah-U-Akbar v. Sezon.

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

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

2019-0346. State ex rel. Allah-U-Akbar v. Sezon.

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

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

2019-0351. Horton v. Metz.

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

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

2019-0447. State ex rel. Stupelli v. Parma Mun. Court.

In Mandamus and Procedendo. On respondents' answer. Cause dismissed.

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

2019-0470. Dixon v. Bowerman.

In Habeas Corpus. Sua sponte, cause dismissed.

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

2019-0474. State ex rel. Adams v. Wainwright.

In Habeas Corpus. Sua sponte, cause dismissed.

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

MOTION AND PROCEDURAL RULINGS

2018-0824. State ex rel. Howard v. Turner.

Marion App. No. 9-18-04. On appellant's "motion for leave for the presentation of evidence for the motion for reconsideration." Motion denied.

APPEALS ACCEPTED FOR REVIEW

2019-0222. Wildcat Drilling, L.L.C. v. Discovery Oil & Gas, L.L.C.

Mahoning App. No. 17 MA 0018, 2018-Ohio-5391. Appeal accepted on proposition of law No. II.

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

2019-0267. Total Quality Logistics, L.L.C. v. JK & R Express, L.L.C.

Clermont App. No. CA2018-05-034, 2019-Ohio-20. Appeal accepted on proposition of law No. I.

Kennedy and French, JJ., dissent.

APPEALS NOT ACCEPTED FOR REVIEW

2019-0237. Hall v. Crystal Clinic, Inc.

Summit App. No. 29031, 2018-Ohio-5314.

French and Stewart, JJ., dissent.

Donnelly, J., dissents and would accept the appeal on all propositions of law and hold proposition of law No. III for 2018-1233 and 2018-1479, *Moore v. Mt. Carmel Health Sys.*