

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

July 23, 2019

[Cite as *07/23/2019 Case Announcements*, 2019-Ohio-2892.]

MERIT DECISIONS WITH OPINIONS

2018-0099 and 2018-0118. State ex rel. Pacheco v. Indus. Comm., Slip Opinion No. 2019-Ohio-2954.

Franklin App. No. 15AP-1033, 2017-Ohio-8971. Judgment affirmed in part and reversed in part and limited writ granted.

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

DeWine, J., concurring in part and dissenting in part, with an opinion joined by Kennedy and Stewart, JJ.

2018-1743. Disciplinary Counsel v. Delay, Slip Opinion No. 2019-Ohio-2955.

On Certified Report by the Board of Professional Conduct, No. 2017-046. Brendan Edward Delay, Attorney Registration No. 0036929, last known address in Westlake, Ohio, indefinitely suspended from the practice of law.

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

MOTION AND PROCEDURAL RULINGS

2019-0717. State v. Robinson-Bey.

Summit App. No. 28740, 2018-Ohio-5224. 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 Kennedy and DeWine, JJ., dissent.

2019-0723. State v. Jenkins.

Summit App. No. 28736, 2018-Ohio-4814. On motion for leave to file delayed appeal. Motion denied.

French and Donnelly, JJ., dissent.

2019-0763. State v. Arroyo-Garcia.

Franklin App. No. 15AP-890, 2016-Ohio-7006. On motion for leave to file delayed appeal. Motion denied.

APPEALS ACCEPTED FOR REVIEW

2019-0631. State v. Reed.

Erie App. No. E-17-037, 2019-Ohio-1266. Appellee's motion to dismiss certified-conflict appeal denied.

O'Connor, C.J., and Stewart, J., concur in part and dissent in part and would grant appellee's motion to dismiss certified-conflict appeal.

Donnelly, J., concurs in part and dissents in part and would decline to accept jurisdiction of the appeal.

French, J., dissents.

2019-0651. State v. Dent.

Franklin App. No. 17AP-592, 2019-Ohio-1510.

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

2019-0654. State v. Walker.

Franklin App. No. 17AP-588, 2019-Ohio-1458.

O'Connor, C.J., and Donnelly and Stewart, JJ., dissent.

2019-0655. State v. Patrick.

Mahoning App. No. 17 MA 0091, 2019-Ohio-1189. Appeal accepted on proposition of law No. I.

Kennedy, DeWine, and Stewart, JJ., dissent.

2019-0658. Alliance v. Marlinton Local School Dist. Bd. of Edn.

Stark App. No. 2018CA00076, 2019-Ohio-1188.

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

2019-0665. Crown Servs., Inc. v. Miami Valley Paper Tube Co.

Cuyahoga App. No. 108323. Appeal accepted on proposition of law No. I.

Kennedy, French, and Fischer, JJ., would accept the appeal on all propositions of law.

DeWine, Donnelly, and Stewart, JJ., dissent.

APPEALS NOT ACCEPTED FOR REVIEW

2019-0266. State v. Linder.

Cuyahoga App. No. 106600, 2018-Ohio-3951.

2019-0335. State v. Black.

Montgomery App. No. 27888, 2018-Ohio-4878.

2019-0429. State v. Conway.

Franklin App. No. 17AP-90, 2019-Ohio-382.

Donnelly, J., dissents and would accept the appeal on proposition of law Nos. I, III, IV, and VIII.

French, J., not participating.

2019-0434. Jenkins v. Cleveland.

Cuyahoga App. No. 107135, 2019-Ohio-458.

2019-0451. State v. Somers.

Muskingum App. No. CT 2018-0013, 2018-Ohio-4625.

Donnelly, J., dissents.

2019-0595. Slodov v. Mentor.

Lake App. No. 2018-L-080, 2019-Ohio-1052.

2019-0600. State v. Ferricci.

Cuyahoga App. No. 107279, 2019-Ohio-994.

Donnelly, J., dissents.

2019-0602. State v. Smith.

Sandusky App. No. S-18-020, 2019-Ohio-1181.

2019-0605. State v. Paige.

Mahoning App. No. 17 MA 0033, 2019-Ohio-1088.

2019-0613. State v. Dehart.

Warren App. No. CA2018-06-060, 2019-Ohio-1048.

2019-0614. State v. Camelin.

Ross App. No. 18CA3642, 2019-Ohio-1055.

Donnelly, J., dissents.

2019-0618. State v. Malyshev.

Jefferson App. No. 17 JE 0029, 2019-Ohio-1087.

Donnelly and Stewart, JJ., dissent and would accept the appeal on proposition of law No. I.

2019-0622. State v. B.J.T.

Warren App. No. CA2018-06-062, 2019-Ohio-1049.

2019-0626. State v. Spellacy.

Cuyahoga App. No. 106909, 2019-Ohio-785.

DeWine and Donnelly, JJ., dissent.

2019-0627. State v. Harrison.

Logan App. No. 8-19-18.

2019-0628. State v. Harrison.

Logan App. No. 8-19-20.

2019-0629. In re M.W.

Licking App. No. 2018 CA 0021.

2019-0635. State v. Kean.

Franklin App. No. 17AP-427, 2019-Ohio-1171.

Donnelly, J., dissents.

2019-0636. State v. Waugaman.

Richland App. No. 18CA18, 2019-Ohio-1102.

2019-0643. Webber v. Webber.

Summit App. No. 29073, 2019-Ohio-1084.

2019-0649. Fifth Third Mtge. Co. v. Berman.

Franklin App. No. 17AP-563, 2019-Ohio-1068.

2019-0650. State v. Knox.

Cuyahoga App. No. 107414, 2019-Ohio-1246.

2019-0657. State v. Wochele.

Cuyahoga App. No. 106769, 2019-Ohio-1122.

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

2019-0681. State v. Chambers.

Wayne App. No. 17AP0032, 2018-Ohio-5050.

2019-0684. State v. Brown.

Cuyahoga App. No. 106582, 2019-Ohio-1235.

Donnelly, J., dissents.

2019-0686. State v. Black.

Montgomery App. No. 27888, 2018-Ohio-4878.

2019-0694. State v. Wataka.

Wood App. No. WD-18-028, 2019-Ohio-1267.

2019-0706. State v. Dixon.

Clark App. No. 2017-CA-80, 2019-Ohio-1385.

2019-0707. State v. Davis.

Cuyahoga App. No. 108318.

2019-0720. State v. Day.

Franklin App. No. 18AP-265, 2019-Ohio-1327.

2019-0722. Soberay v. Greyhound Lines, Inc.

Cuyahoga App. No. 106525, 2019-Ohio-1371.

Kennedy, J., dissents.

2019-0726. State v. Copeland.

Cuyahoga App. No. 106988, 2019-Ohio-1370.

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

Donnelly, J., not participating.

2019-0748. State v. Downey.

Cuyahoga App. No. 107363, 2019-Ohio-1438. Appellant's motion for leave to exceed the page limit denied.

Donnelly, J., dissents.

2019-0758. State v. Rodriguez.

Cuyahoga App. No. 107484, 2019-Ohio-1532.

Donnelly, J., dissents and would accept the appeal and appoint counsel.

2019-0759. State v. Blanton.

Cuyahoga App. No. 107237, 2019-Ohio-1523.

French, J., dissents.

2019-0768. State v. Gray.

Cuyahoga App. No. 107394, 2019-Ohio-1638.

Donnelly, J., dissents.

2019-0770. State v. Stansel.

Clark App. No. 2018-CA-76, 2019-Ohio-1906.

RECONSIDERATION OF PRIOR DECISIONS

2018-1172. State ex rel. White v. Woods.

Franklin App. No. 17AP-620, 2018-Ohio-2954. Reported at __ Ohio St.3d __, 2019-Ohio-1893, __ N.E.3d __. On motion for reconsideration. Motion denied.

2019-0304. Pearsall v. Guernsey.

Hancock App. No. 5-18-14. Reported at 155 Ohio St.3d 1456, 2019-Ohio-1759, 122 N.E.3d 217. On motion for reconsideration. Motion denied.

2019-0317. State v. Wright.

Sandusky App. Nos. S-17-055 and S-17-056, 2019-Ohio-166. Reported at 155 Ohio St.3d 1457, 2019-Ohio-1759, 122 N.E.3d 217. On motion for reconsideration. Motion denied.

Donnelly and Stewart, JJ., dissent.

2019-0351. Horton v. Metz.

In Mandamus and Procedendo. Reported at 155 Ohio St.3d 1463, 2019-Ohio-1817, 122 N.E.3d 1281. On motion for reconsideration. Motion denied.

2019-0363. State v. Buehner.

Cuyahoga App. No. 106319, 2018-Ohio-4432. Reported at 155 Ohio St.3d 1457, 2019-Ohio-1759, 122 N.E.3d 217. On motion for reconsideration. Motion denied.
Kennedy, J., dissents.

2019-0387. State v. Devore.

Ashland App. No. 18-COA-011, 2018-Ohio-4189. Reported at 155 Ohio St.3d 1457, 2019-Ohio-1759, 122 N.E.3d 217. On motion for reconsideration. Motion denied.