

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

December 17, 2019

[Cite as *12/17/2019 Case Announcements*, 2019-Ohio-5193.]

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## MERIT DECISIONS WITHOUT OPINIONS

### **2019-1465. Jackson v. May.**

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

### **2019-1376. State v. Farrow.**

Lorain App. No. 18CA011327, 2019-Ohio-3311. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

### **2019-1383. State v. Martre.**

Allen App. No. 1-18-61, 2019-Ohio-2072. On motion for leave to file delayed appeal. Motion denied.

DeWine, J., dissents.

### **2019-1399. State v. Dobson.**

Cuyahoga App. No. 107721, 2019-Ohio-368. On motion for leave to file delayed appeal. Motion denied.

Donnelly and Stewart, JJ., dissent.

**2019-1400. State v. Baldwin.**

Summit App. No. 29176, 2019-Ohio-2542. On motion for leave to file delayed appeal. Motion denied.

French and Donnelly, JJ., dissent.

**2019-1405. State v. Edwards.**

Franklin App. No. 17AP-738, 2019-Ohio-3012. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

Fischer and DeWine, JJ., dissent.

**2019-1421. State v. Finley.**

Mahoning App. No. 18MA0035. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

DeWine, J., dissents.

**2019-1423. State v. Stinson.**

Montgomery App. No. 28148, 2019-Ohio-3400. On motion for leave to file delayed appeal. Motion denied. Appellant's motion for stay denied.

Donnelly and Stewart, JJ., would grant the motion for leave to file delayed appeal.

Fischer, J., dissents.

**2019-1438. State v. Prior.**

Stark App. No. 2017CA00122, 2018-Ohio-2712. On motion for leave to file delayed appeal. Motion denied.

Donnelly, J., dissents.

**2019-1459. State v. Ramirez.**

Butler App. No. CA2018-12-233, 2019-Ohio-3050. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

French, J., dissents.

## APPEALS ACCEPTED FOR REVIEW

### **2019-1282. State v. Bowers.**

Hamilton App. No. C-180317, 2019-Ohio-3207. Appeal accepted on proposition of law Nos. II and III.

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

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

Fischer, J., not participating.

### **2019-1298. State v. Bourn.**

Cuyahoga App. No. 107525, 2019-Ohio-2327. Sua sponte, cause held for the decision in 2019-0659 and 2019-0900, *State v. Willingham*.

Kennedy, J., would not hold the cause.

### **2019-1314. Sutton Bank v. Progressive Polymers, L.L.C.**

Portage App. Nos. 2018-P-0079 and 2019-P-0001, 2019-Ohio-3239.

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

## APPEALS NOT ACCEPTED FOR REVIEW

### **2019-0771. State v. Smith.**

Belmont App. No. 15 BE 0064, 2017-Ohio-2708.

### **2019-0773. State v. Townsend.**

Cuyahoga App. No. 107458, 2019-Ohio-1442.

### **2019-0974. State v. Heckathorn.**

Columbiana App. No. 17 CO 0011, 2019-Ohio-1086.

### **2019-1053. State v. Slaughter.**

Lorain App. No. 18CA011293, 2019-Ohio-2154.

### **2019-1121. State v. Crytzer.**

Ashtabula App. No. 2018-A-0077, 2019-Ohio-2285.

### **2019-1280. State v. Metz.**

Cuyahoga App. No. 107945, 2019-Ohio-3370.

Kennedy and Stewart, JJ., dissent.

**2019-1285. McGree v. Gateway Healthcare Centre, L.L.C.**

Cuyahoga App. No. 107193, 2019-Ohio-988.

**2019-1289. State v. Shough.**

Licking App. No. 19-CA-26, 2019-Ohio-3431.

**2019-1292. State v. North.**

Butler App. No. CA2018-10-201, 2019-Ohio-3224.

**2019-1294. Laborer’s Internatl. Union of N. Am., Local Union No. 860 v. Cuyahoga Cty. Common Pleas Court, Juvenile Div.**

Cuyahoga App. No. CA-19-108096, 2019-Ohio-3190.

**2019-1295. State v. Howell.**

Cuyahoga App. No. 107545, 2019-Ohio-3182.

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

**2019-1297. KW BV, L.L.C. v. Euclid.**

Cuyahoga App. No. 107489, 2019-Ohio-3180.

DeWine, J., dissents.

**2019-1299. State v. Luebrecht.**

Putnam App. No. 12-18-02, 2019-Ohio-1573.

**2019-1304. Wicks v. Lover’s Lane Mkt.**

Summit App. No. 28925, 2019-Ohio-2614.

Kennedy, J., dissents.

**2019-1306. State v. Tawney.**

Portage App. No. 2018-P-0060, 2019-Ohio-3238.

**2019-1307. Ginn v. Stonecreek Dental Care.**

Fayette App. Nos. CA2018-09-018, CA2018-09-019, and CA2018-09-022, 2019-Ohio-3229.

O’Connor, C.J., dissents and would accept the appeal on proposition of law Nos. I and II.

**2019-1308. State ex rel. Ames v. Portage Cty. Bd. of Commrs.**

Portage App. No. 2018-P-0036, 2019-Ohio-3237.

Donnelly, J., dissents and would appoint counsel.

**2019-1313. Spencer v. Lewis.**

Franklin App. No. 19AP-339.

**2019-1315. Willowick v. Osborne.**

Lake App. Nos. 2018-L-124, 2018-L-125, and 2018-L-126, 2019-Ohio-3235.

**2019-1320. Karimian-Dominique v. Good Samaritan Hosp.**

Montgomery App. No. 28256, 2019-Ohio-2750.

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

**2019-1321. State v. Delawder.**

Scioto App. No. 18CA3854, 2019-Ohio-3379.

Donnelly, J., dissents.

**2019-1324. State v. Murrill.**

Butler App. No. CA2018-11-215, 2019-Ohio-3318.

**2019-1327. Cleveland v. Turner.**

Cuyahoga App. No. 107102, 2019-Ohio-3378.

**2019-1329. State v. Najjar-Banks.**

Delaware App. No. 18 CAC 11 0085, 2019-Ohio-3337.

Fischer and Donnelly, JJ., dissent.

**2019-1330. Rice v. Islamic Ctr. of Peace, Inc.**

Montgomery App. No. 28271, 2019-Ohio-3396.

Fischer, J., dissents.

**2019-1332. Stratton v. Stratton.**

Cuyahoga App. No. 107798, 2019-Ohio-3279.

**2019-1333. State v. Riggins.**

Hamilton App. No. C-180069, 2019-Ohio-3254.

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

**2019-1335. State v. Riffle.**

Cuyahoga App. No. 107352, 2019-Ohio-3271.

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

**2019-1336. State v. Johnson.**

Cuyahoga App. No. 107427, 2019-Ohio-2913.

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

**2019-1337. State v. Hale.**

Cuyahoga App. No. 107646, 2019-Ohio-3276.

Donnelly, J., dissents and would accept the appeal on proposition of law No. III.

**2019-1338. Baon v. Fairview Hosp.**

Cuyahoga App. No. 107946, 2019-Ohio-3371.

Donnelly and Stewart, JJ., dissent.

**2019-1352. In re I.B.**

Tuscarawas App. No. 2019 AP03 0011, 2019-Ohio-3450.

**2019-1356. Krlich v. Shelton.**

Trumbull App. No. 18-T-0104, 2019-Ohio-3441.

Donnelly and Stewart, JJ., dissent.

**2019-1359. Chambers v. Bockman.**

Clermont App. No. CA2019-03-027, 2019-Ohio-3538.

Fischer, J., dissents.

**2019-1366. State v. Mendoza.**

Franklin App. No. 18AP-580, 2019-Ohio-3382.

**2019-1378. State v. Carter.**

Muskingum App. No. CT2018-0072, 2019-Ohio-3485.

**2019-1382. State v. Wade.**

Franklin App. No. 18AP-848, 2019-Ohio-3464.

Donnelly, J., dissents.

French, J., not participating.

**2019-1388. State v. Kister.**

Athens App. Nos. 18CA10, 18CA11, and 18CA12, 2019-Ohio-3583.

**2019-1402. Johnson v. McCarthy.**

Franklin App. No. 17AP-655, 2019-Ohio-3489.

**2019-1407. State v. Powell.**

Cuyahoga App. No. 107006, 2019-Ohio-3507.

**2019-1408. State v. Dilley.**

Cuyahoga App. No. 108098, 2019-Ohio-3574.

Donnelly and Stewart, JJ., not participating.

**2019-1414. State v. Castellon.**

Cuyahoga App. No. 106813, 2019-Ohio-3652.

**2019-1418. State v. Reid.**

Montgomery App. No. 28477.

**2019-1442. State v. Stoermer.**

Clark App. No. 2019-CA-23, 2019-Ohio-3804.

Donnelly, J., dissents.

**2019-1444. Tarshis v. Ohio Civ. Rights Comm.**

Franklin App. No. 19AP-172, 2019-Ohio-3633.

**2019-1453. State v. Morris.**

Franklin App. No. 19AP-152, 2019-Ohio-3795.

French, J., not participating.

**2019-1466. State v. Juan.**

Franklin App. No. 18AP-343, 2019-Ohio-281.

French, J., not participating.

**2019-1468. State v. Newton.**

Cuyahoga App. No. 107200, 2019-Ohio-3653.  
Donnelly, J., dissents.

**2019-1478. State v. Tewell.**

Cuyahoga App. No. 108019, 2019-Ohio-3770.

**RECONSIDERATION OF PRIOR DECISIONS**

**2017-1575. State v. Parker.**

Cuyahoga App. No. 105472, 2017-Ohio-7484. Reported at \_\_ Ohio St.3d \_\_, 2019-Ohio-3848, \_\_ N.E.3d \_\_. On motion for reconsideration. Motion denied.  
O'Connor, C.J., and Donnelly, J., dissent.

**2019-1040. In re Estate of Jenkins.**

Cuyahoga App. No. 107343, 2019-Ohio-2112. Reported at 157 Ohio St.3d 1441, 2019-Ohio-4211, 132 N.E.3d 702. On motion for reconsideration. Motion denied.

**2019-1163. State v. Hill.**

Cuyahoga App. No. 107445, 2019-Ohio-2743. Reported at 157 Ohio St.3d 1429, 2019-Ohio-4003, 131 N.E.3d 973. On motion for reconsideration. Motion denied.

**2019-1219. Mobley v. LaRose.**

In Habeas Corpus. Reported at 157 Ohio St.3d 1446, 2019-Ohio-4177, 132 N.E.3d 720. On motion for reconsideration. Motion denied. Petitioner's motion for grand-jury records, motion to add party to action, motion for court to serve subpoenas, and notice to the clerk seeking service of summons denied.