

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

February 20, 2019

[Cite as *02/20/2019 Case Announcements, 2019-Ohio-601.*]

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## MOTION AND PROCEDURAL RULINGS

**2018-1838. State v. Montgomery.**

Franklin App. No. 14AP-1057, 2015-Ohio-3255. On motion for leave to file delayed appeal. Motion denied.

**2018-1851. State v. Mitchem.**

Jackson App. No. 17CA10, 2018-Ohio-4589. 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 Stewart, JJ., dissent.

**2018-1852. State v. Lacey.**

Greene App. No. 2017-CA-63, 2018-Ohio-4145. 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 Stewart, J., dissent.

**2018-1859. State v. Atkinson.**

Muskingum App. No. CT2018-0015, 2018-Ohio-4290. On motion for leave to file delayed appeal. Motion denied.

Kennedy and Donnelly, JJ., dissent.

## APPEALS ACCEPTED FOR REVIEW

**2018-1707. White v. Bur. of Workers' Comp.**

Summit App. Nos. 28831 and 28853, 2018-Ohio-4309. Cause accepted on

proposition of law No. I.

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

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

**2018-1711. State v. Mize.**

Butler App. No. CA2017-11-159. Cause accepted on proposition of law No. I and held for the decision in 2018-0012, *State v. Hitchcock*.

French, J., would accept the cause on all propositions of law.

Kennedy, Fischer and DeWine, JJ., dissent.

**APPEALS NOT ACCEPTED FOR REVIEW**

**2018-1359. Clay v. Shriver Allison Courtley Co.**

Mahoning App. No. 17 MA 0003, 2018-Ohio-3371. Appellees' motion to dismiss denied.

Stewart, J., dissents and would accept the cause on proposition of law No. I.

O'Connor, C.J., would deny appellees' motion to dismiss as moot.

**2018-1515. M.D. v. M.D.**

Cuyahoga App. Nos. 106581 and 106758, 2018-Ohio-4218.

Kennedy and Stewart, JJ., dissent.

**2018-1697. State v. Bridges.**

Cuyahoga App. No. 106652, 2018-Ohio-4325.

**2018-1698. State v. Bridges.**

Cuyahoga App. No. 106653, 2018-Ohio-4113.

**2018-1699. Allstate Ins. Co. v. Bowman.**

Shelby App. No. 17-18-05, 2018-Ohio-4171.

French, J., dissents.

**2018-1700. State v. Kennedy.**

Logan App. No. 8-18-01, 2018-Ohio-4172.

Donnelly, J., dissents.

**2018-1701. State v. Vicario.**

Cuyahoga App. No. 106373, 2018-Ohio-4217.

**2018-1702. State v. Bowen.**

Muskingum App. No. CT2017-0103, 2018-Ohio-4220.

**2018-1704. Nelson v. Ohio High School Athletic Assn.**

Allen App. No. 1-18-12, 2018-Ohio-4169.

Fischer and Donnelly, JJ., dissent.

**2018-1705. State v. Richardson.**

Warren App. Nos. CA2018-04-043 and CA2018-04-044, 2018-Ohio-4254.  
Appellant's motion to seal memorandum in support of jurisdiction and appellee's motion to seal memorandum in response to jurisdiction granted.

DeWine, J., would deny both motions to seal.

French, J., dissents and would accept the cause on proposition of law Nos. I and II.

Stewart and Donnelly, JJ., dissent and would accept the cause.

**2018-1709. Schmitt v. Ward.**

Summit App. Nos. 28877 and 28910, 2018-Ohio-4401.

**2018-1712. State v. Miku.**

Stark App. No. 2018CA00094, 2018-Ohio-4404.

**2018-1715. State v. Reed.**

Cuyahoga App. No. 106814, 2018-Ohio-4518.

**2018-1719. S. Euclid v. Turner.**

Cuyahoga App. No. 106642, 2018-Ohio-3798.

O'Connor, C.J., and French and Donnelly, JJ., dissent and would accept the cause on proposition of law No. I.

**2018-1720. State v. Amey.**

Cuyahoga App. No. 105847, 2018-Ohio-4207.

Fischer, J., dissents would accept the cause on proposition of law Nos. I and II.

Donnelly and Stewart, JJ., dissent.

**2018-1721. Blisswood Village Home Owners Assn. v. Genesis Real Estate Holdings Group, L.L.C.**

Cuyahoga App. No. 106583, 2018-Ohio-4215.

**2018-1724. Kelley v. Gerth.**

Franklin App. No. 18AP-487, 2018-Ohio-4080.

**2018-1726. State v. A.C.**

Guernsey App. No. 18 CA 1, 2018-Ohio-4366.

French, Fischer, and Donnelly, JJ., dissent.

**2018-1730. Tankersley v. Ohio Fair Plan Underwriting Assn.**

Clermont App. No. CA2018-01-003, 2018-Ohio-4386.

**2018-1731. In re Guardianship of Bell.**

Cuyahoga App. No. 107533.

**2018-1734. Hillman v. Franklin Cty. Police Officer.**

Franklin App. No. 18AP-67

**2018-1742. State v. Rarden.**

Butler App. No. CA2018-03-044, 2018-Ohio-4487. Appellant's motion for relief or order pursuant to S.Ct.Prac.R. 4.01 and appellant's motion to strike denied.

Kennedy, J., would deny both motions as moot.

**2018-1744. Thompson v. Custer.**

Trumbull App. No. 2017-T-0087, 2018-Ohio-4476.

Donnelly, J., dissents.

**2018-1745. In re M.B.**

Cuyahoga App. No. 106434, 2018-Ohio-4334.

Fischer, J., dissents.

Stewart, J., not participating.

**2018-1755. McCormick v. Karnani.**

Summit App. No. 29194.

**2018-1771. State v. Goodwin.**

Portage App. No. 2017-P-0082, 2018-Ohio-4377.

Donnelly, J., dissents.

**2018-1787. State v. Smith.**

Cuyahoga App. No. 106679, 2018-Ohio-4421.

**2018-1810. State v. Gibson.**

Mahoning App. No. 17 MA 0029, 2018-Ohio-4725.

**2018-1817. State v. Calise.**

Summit App. No. 26027, 2012-Ohio-4797.

Donnelly, J., dissents.

**2018-1820. State v. Williams.**

Cuyahoga App. No. 106563, 2018-Ohio-4612.

**2018-1843. State v. Stidhum.**

Hamilton App. No. C-170319, 2018-Ohio-4616.

French and Donnelly, JJ., dissent.

**2018-1848. State v. Staten.**

Franklin App. No. 18AP-48, 2018-Ohio-4681.

Donnelly, J., dissents.

**2019-0009. State v. Kalka.**

Cuyahoga App. No. 106339, 2018-Ohio-5030.

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

**2019-0012. State v. Dennison.**

Franklin App. No. 12AP-718, 2013-Ohio-5535.

**RECONSIDERATION OF PRIOR DECISIONS**

**2016-0615. State ex rel. Kesterson v. Kent State Univ.**

In Mandamus. Reported at \_\_ Ohio St.3d \_\_, 2018-Ohio-5108, \_\_ N.E.3d \_\_. On motion for reconsideration. Motion denied.

**2016-1123. State ex rel. Kesterson v. Kent State Univ.**

In Mandamus. Reported at \_\_ Ohio St.3d \_\_, 2018-Ohio-5110, \_\_ N.E.3d \_\_. On motion for reconsideration. Motion denied.

**2017-0684. Satterfield v. Ameritech Mobile Communications, Inc.**

Cuyahoga App. No. 104211, 2017-Ohio-928. Reported at \_\_ Ohio St.3d \_\_, 2018-Ohio-5023, \_\_ N.E.3d \_\_. On motion for reconsideration. Motion denied.

**2018-1400. Parker v. Keener.**

In Mandamus. Reported at 154 Ohio St.3d 1455, 2018-Ohio-5085, 113 N.E.3d 562. On motion for reconsideration. Motion denied.