

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

March 6, 2019

[Cite as *03/06/2019 Case Announcements #2, 2019-Ohio-769.*]

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## MOTION AND PROCEDURAL RULINGS

**2019-0024. State v. Rudd.**

Cuyahoga App. No. 102754, 2018-Ohio-1383. On motion for leave to file delayed appeal. Motion denied.

Kennedy, J., dissents.

## APPEALS ACCEPTED FOR REVIEW

**2018-1814. State v. Pendergrass.**

Montgomery App. No. 27814, 2018-Ohio-3813.

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

## APPEALS NOT ACCEPTED FOR REVIEW

**2018-1421. State v. Kremer.**

Warren App. Nos. CA2017-07-115 and CA2017-07-116, 2018-Ohio-3339.

Donnelly, J., dissents.

**2018-1722. State v. Vance.**

Jackson App. No. 16CA11, 2018-Ohio-1313. Appellant's amended motion for appointment of counsel, amended motion for preparation of statements, praecipe, and notice to the court reporter for a complete copy of the transcript of proceedings, and amended request for oral argument denied.

Kennedy, J., would deny appellant's motions as moot.

**2018-1769. State v. Davis.**

Allen App. Nos. 1-17-44 and 1-17-45, 2018-Ohio-4368.

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

**2018-1770. Eckert v. Warren Cty. Rural Bd. of Zoning Appeals.**

Warren App. Nos. CA2017-06-095, CA2017-07-107, CA2017-07-108, and CA2017-07-109, 2018-Ohio-4384.

**2018-1772. State v. Hopson.**

Stark App. No. 2018CA00109, 2018-Ohio-4552.

**2018-1774. State v. McClellan.**

Stark App. No. 2017CA00193, 2018-Ohio-3355.

**2018-1780. State v. Yates.**

Seneca App. No. 13-18-27.

**2018-1782. State v. Boyd.**

Cuyahoga App. No. 106453, 2018-Ohio-4427.

Stewart, J., not participating.

**2018-1784. State v. Brown.**

Montgomery App. No. 27820, 2018-Ohio-4448.

**2018-1785. State v. Ferguson.**

Montgomery App. No. 27886, 2018-Ohio-4446.

Kennedy, Donnelly, and Stewart, JJ., dissent.

**2018-1786. State v. Miles.**

Montgomery App. No. 27885, 2018-Ohio-4444.

Kennedy, Donnelly, and Stewart, JJ., dissent.

**2018-1795. State v. Tucker.**

Wood App. No. WD-17-051, 2018-Ohio-4533.

**2018-1797. Ford Motor Credit Co. v. Ryan & Ryan, Inc.**

Franklin App. Nos. 17AP-304 and 17AP-375, 2018-Ohio-3960.

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

French, J., not participating.

**2018-1798. State v. Burry.**

Lake App. No. 2017-L-160, 2018-Ohio-4477.

**2018-1800. Crawford v. Kirtland Local School Dist. Bd. of Edn.**

Lake App. No. 2018-L-010, 2018-Ohio-4569.

**2018-1803. Pennessi v. Hanger Prosthetics & Orthotics, Inc.**

Montgomery App. No. 28022, 2018-Ohio-4631.

**2018-1805. State v. Stoermer.**

Clark App. No. 2017-CA-93, 2018-Ohio-4522.

Fischer, J., dissents and would accept the cause on proposition of law No. II.

Donnelly, J., dissents.

**2018-1811. Akron v. Brown.**

Summit App. No. 28629, 2018-Ohio-4500.

**2018-1813. State v. Hawkins.**

Allen App. No. 1-18-08, 2018-Ohio-4649.

**2018-1818. Riehm v. Green Springs Rural Volunteer Fire Dept.**

Seneca App. No. 13-18-15, 2018-Ohio-4075.

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

Donnelly, J., dissents.

**2018-1819. State v. Nettles.**

Lucas App. No. L-17-1205, 2018-Ohio-4540.

**2018-1821. State v. Gaston.**

Lake App. No. 2017-L-109, 2018-Ohio-4575.

Donnelly, J., dissents and would accept the cause on proposition of law No. II.

**2018-1822. State v. Russell.**

Greene App. No. 2017-CA-59, 2018-Ohio-4524.

**2018-1844. Murgu v. Lakewood City School Dist. Bd. of Edn.**

Cuyahoga App. No. 105699, 2018-Ohio-4643.

**2018-1855. State v. Hill.**

Cuyahoga App. No. 106017, 2018-Ohio-4614.

Donnelly, J., dissents.

**2019-0033. State v. Pryor.**

Hamilton App. No. C-170432.

**2019-0040. State v. Nicholson.**

Lucas App. No. L-17-1187, 2018-Ohio-4909.

**2019-0044. State v. Clark.**

Lucas App. No. L-17-1256, 2018-Ohio-4759.

**2019-0046. State v. Verdell.**

Montgomery App. No. 27786, 2018-Ohio-4766.

**2019-0061. State v. Bryant.**

Lucas App. No. L-17-1211, 2018-Ohio-4910.

Donnelly, J., dissents.

**2019-0076. State v. Gordon.**

Cuyahoga App. No. 103494, 2018-Ohio-5150.

French and Stewart, JJ., dissent and would accept the cause on proposition of law No. II.

**2019-0086. State v. Guy.**

Franklin App. No. 17AP-322, 2018-Ohio-4836.

**2019-0088. State v. Anglero.**

Cuyahoga App. No. 106336, 2018-Ohio-4852.

**2019-0093. State v. Brown.**

Franklin App. No. 18AP-112, 2018-Ohio-4984.

## RECONSIDERATION OF PRIOR DECISIONS

### **2016-0899. State v. Tench.**

Medina App. No. 14CR0541. Reported at \_\_ Ohio St.3d \_\_, 2018-Ohio-5205, \_\_ N.E.3d \_\_. On motion for reconsideration. Motion denied.

### **2018-1326. State v. Heiney.**

Lucas App. No. L-16-1042, 2018-Ohio-3408. Reported at 154 Ohio St.3d 1464, 2018-Ohio-5209, 114 N.E.3d 214. On motion for reconsideration. Motion denied.

French, J., dissents and would grant the motion and hold the cause for the decision in 2018-0364, *State v. Boaston*.

### **2018-1388. State v. Ervin.**

Highland App. No. 18CA1, 2018-Ohio-3451. Reported at 154 Ohio St.3d 1464, 2018-Ohio-5209, 114 N.E.3d 214. On motion for reconsideration. Motion denied.

### **2018-1463. State v. Martin.**

Montgomery App. No. 27844, 2018-Ohio-3505. Reported at 154 Ohio St.3d 1464, 2018-Ohio-5209, 114 N.E.3d 214. On motion for reconsideration. Motion denied.

### **2018-1474. Lowder v. Kantak.**

Summit App. No. 28690, 2018-Ohio-3470. Reported at 154 Ohio St.3d 1465, 2018-Ohio-5209, 114 N.E.3d 215. On motion for reconsideration. Motion denied.

French and Donnelly, JJ., dissent.

### **2018-1587. In re A.P.**

Lucas App. No. L-18-1063, 2018-Ohio-3818. Reported at 154 Ohio St.3d 1466, 2018-Ohio-5209, 114 N.E.3d 216. On motion for reconsideration. Motion denied.

### **2018-1618. RRL Holding Co. of Ohio, L.L.C. v. Stewart.**

Franklin App. No. 18AP-118, 2018-Ohio-3956. Reported at 154 Ohio St.3d 1466, 2018-Ohio-5209, 114 N.E.3d 216. On motion for reconsideration. Motion denied.