

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

March 25, 2020

[Cite as *03/25/2020 Case Announcements, 2020-Ohio-1032.*]

MERIT DECISIONS WITH OPINIONS

2018-0852. *Ayers v. Cleveland*, Slip Opinion No. 2020-Ohio-1047.

Cuyahoga App. No. 105074, 2017-Ohio-8571. Judgment affirmed.

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

Stewart, J., dissents, with an opinion.

2018-1076. *Phoenix Lighting Group, L.L.C. v. Genlyte Thomas Group, L.L.C.*, Slip Opinion No. 2020-Ohio-1056.

Summit App. No. 28082, 2018-Ohio-2393. Judgment reversed in part and cause remanded.

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

Kennedy, J., concurs, with an opinion.

Fischer, J., concurs, with an opinion.

2019-1196. *State ex rel. Kerr v. Kelsey*, Slip Opinion No. 2020-Ohio-1057.

Wood App. No. WD-19-047, 2019-Ohio-3215. Judgment affirmed.

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

MERIT DECISIONS WITHOUT OPINIONS

2019-1817. State ex rel. Damron v. Ohio Adult Parole Auth.

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

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

2020-0028. State ex rel. Warren v. Matia.

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.

2020-0029. State ex rel. Welch v. Jones.

In Procedendo. On respondent's motion for judgment on pleadings. Motion granted. Cause dismissed.

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

2020-0038. State ex rel. McDougald v. Sehlmeier.

In Mandamus. On respondent's motion to dismiss. Motion granted. Relator's "motion requesting leave to file supplemental facts to his writ of mandamus along with affidavit" denied. Cause dismissed.

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

Kennedy, J., would grant the motion requesting leave to file supplemental facts.

Donnelly, J., dissents and would award sanctions and costs and would grant the motion requesting leave to file supplemental facts.

2020-0043. State ex rel. Ware v. Giavasis.

In Mandamus. Sua sponte, an alternative writ is granted and the following briefing schedule is set for presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 12.05 for respondents Anthony J. Flex, Louis P. Giavasis, Stark County Clerk of Courts, and the Stark County Clerk of Court's Office: The parties shall file any evidence they intend to present within 20 days, relator shall file a brief within 10 days of the filing of the evidence, respondents shall file a brief within 20 days after the filing of relator's brief, and relator may file a reply brief within 7 days after the filing of respondents' brief.

Motion to dismiss of respondents Stark County Prosecutor's Office, Prosecuting Attorney John D. Ferrero, and Assistant Prosecuting Attorney David E. Deibel granted.

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

O'Connor, C.J., dissents and would grant the motion to dismiss as to all respondents.

MOTION AND PROCEDURAL RULINGS

2000-1540. State v. Hutton.

Cuyahoga App. No. 51704. On motion for relief pursuant to S.Ct.Prac.R. 4.01. Motion denied.

2019-0216. Lorain Cty. Bar Assn. v. Lindon.

On relator's emergency motion to stay consideration of respondent's objections to sanction recommendation. Motion granted. Relator's motion to remand the matter to the Board of Professional Conduct granted. Cause remanded to the board for further proceedings. Proceedings before this court in this case stayed until further order of this court.

2020-0093. Disciplinary Counsel v. Lindon.

This cause is pending before the court in accordance with the reciprocal-discipline provisions of Gov.Bar R. V(20). Sua sponte, proceedings before this court in this case stayed pending the final disposition in 2019-0216, *Lorain Cty. Bar Assn. v. Lindon*.

APPEALS ACCEPTED FOR REVIEW

2020-0031. Siltstone Resources, L.L.C. v. Ohio Pub. Works Comm.

Belmont App. No. 18 BE 0042, 2019-Ohio-4916.

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

RECONSIDERATION OF PRIOR DECISIONS

2019-0953. Torres v. Concrete Designs, Inc.

Cuyahoga App. Nos. 105833 and 106493, 2019-Ohio-1342. Reported at 157 Ohio St.3d 1528, 2020-Ohio-15, 137 N.E.3d 115. On motion for reconsideration. Motion denied.

William A. Klatt, J., of the Tenth District Court of Appeals, sitting for Stewart, J.