

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

March 31, 2020

[Cite as *03/31/2020 Case Announcements, 2020-Ohio-1090.*]

MERIT DECISIONS WITHOUT OPINIONS

2020-0219. De La Cruz v. Butler Cty.

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

2020-0131. State v. Williams.

Lucas App. No. L-17-1186, 2019-Ohio-2657. On motion for leave to file delayed appeal. Motion denied.

Donnelly and Stewart, JJ., dissent.

2020-0141. State v. Baker.

Allen App. No. 1-17-61, 2018-Ohio-3431. On motion for leave to file delayed appeal. Motion denied.

2020-0166. State v. Henderson.

Cuyahoga App. No. 108127, 2019-Ohio-4581. 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.

2020-0174. State v. Dunkle.

Licking App. No. 19-CA-15, 2019-Ohio-2900. On motion for leave to file delayed appeal. Motion denied.

Donnelly, J., dissents.

2020-0178. State v. Bradley.

Montgomery App. Nos. 28301 and 28302, 2019-Ohio-5009. 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 French, J., dissent.

2020-0201. State v. Bond.

Wood App. No. WD-15-070, 2016-Ohio-8383. On motion for leave to file delayed appeal. Motion denied.

2020-0223. State v. Flood.

Franklin App. Nos. 18AP-206 and 18AP-738, 2019-Ohio-2524. On motion for leave to file delayed appeal. Motion denied.

Donnelly, J., dissents.

French, J., not participating.

APPEALS ACCEPTED FOR REVIEW

2020-0092. State ex rel. Yost v. Volkswagen Aktiengesellschaft.

Franklin App. No. 19AP-7, 2019-Ohio-5084.

Kennedy, J., dissents.

French, J., not participating.

2020-0255. State v. Bates.

Cuyahoga App. No. 107868, 2020-Ohio-267.

Fischer and Donnelly, JJ., would hold the cause for the decision in 2018-1144, *State v. Harper*.

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

APPEALS NOT ACCEPTED FOR REVIEW

2019-1421. State v. Finley.

Mahoning App. No. 18MA0035.

2019-1724. Blue Durham Properties, L.L.C. v. Krantz.

Cuyahoga App. Nos. 107974 and 108167, 2019-Ohio-4459. Appeal and cross-appeal not accepted.

Donnelly, J., not participating.

2020-0035. State v. Marcellino.

Lake App. Nos. 2019-G-0195 and 2019-G-0196, 2019-Ohio-4837.

2020-0036. State v. Tackett.

Ashtabula App. No. 2018-A-0052, 2019-Ohio-5188.

2020-0041. Danziger v. Allen.

Sandusky App. No. S-19-004, 2019-Ohio-3811.

2020-0046. ISCO Industries, Inc. v. Great Am. Ins. Co.

Hamilton App. No. C-180636, 2019-Ohio-4852.

2020-0049. State v. Russell.

Montgomery App. No. 28167, 2019-Ohio-3397.

2020-0057. State v. Arszman.

Hamilton App. No. C-180639.

French, J., dissents.

Fischer and DeWine, JJ., not participating.

2020-0058. State v. DeVore.

Ashland App. No. 19-COA-012.

2020-0060. State v. Jones.

Hamilton App. No. C-180091, 2019-Ohio-4862.

Stewart, J., dissents.

2020-0062. State v. McGlothin.

Hamilton App. No. C-180498, 2019-Ohio-4858.

Donnelly, J., dissents and would appoint counsel.

2020-0066. State v. Schwartz.

Clermont App. Nos. CA2019-04-029, CA2019-04-030, and CA2019-04-031, 2019-Ohio-4912.

2020-0072. Evanston Ins. Co. v. ProCentury Ins. Co.

Lorain App. No. 18CA011438, 2019-Ohio-4212.

Kennedy, J., dissents.

2020-0074. State v. Curry.

Cuyahoga App. No. 108088, 2019-Ohio-5338.

2020-0076. Fortney v. McQuillen.

Ashland App. No. 19-COA-025, 2019-Ohio-4941.

Fischer, J., dissents.

2020-0077. State v. Tringelof.

Clermont App. Nos. CA2019-03-021 and CA2019-03-022, 2019-Ohio-5033.

2020-0078. State v. White.

Adams App. No. 18CA1080, 2019-Ohio-4288.

2020-0079. State v. Hagerman.

Defiance App. Nos. 4-19-12 and 4-19-13, 2019-Ohio-5170.

2020-0082. U.S. Bank Natl. Assn. v. Conrad.

Montgomery App. No. 28432, 2019-Ohio-4104.

2020-0083. U.S. Bank Natl. Assn. v. Conrad.

Montgomery App. No. 28375, 2019-Ohio-4103.

2020-0086. State v. Rodriguez.

Cuyahoga App. No. 108048, 2019-Ohio-5117.

2020-0088. Wildenthaler v. Galion Community Hosp.

Franklin App. No. 18AP-574, 2019-Ohio-4951.

Fischer, J., dissents.

DeWine, J., dissents and would accept the appeal on each appellant's proposition of law No. I.

French, J., not participating.

2020-0095. State v. Lucicosky.

Mahoning App. No. 19 MA 0013, 2019-Ohio-5093.

Donnelly, J., dissents.

2020-0096. State v. Smith.

Montgomery App. No. 28265, 2019-Ohio-5015.

2020-0097. Wiltz v. Cleveland Clinic.

Cuyahoga App. No. 109147.

2020-0099. State v. R.R.A.

Columbiana App. No. 19 CO 0005, 2019-Ohio-5090.

2020-0101. Burdette v. Bell.

Preble App. No. CA2019-04-005, 2019-Ohio-5035.

2020-0105. In re B.W.

Richland App. No. 2019-CA-68.

Stewart, J., dissents.

2020-0106. In re B.W.

Richland App. No. 2019-CA-67.

Stewart, J., dissents.

2020-0107. State v. King.

Hamilton App. Nos. C-180395 and C-180407.

2020-0108. State v. Scott.

Montgomery App. No. 28139, 2019-Ohio-5014.

2020-0113. State v. Shabazz.

Cuyahoga App. No. 108315, 2019-Ohio-5245.

Stewart, J., not participating.

2020-0120. State v. Sprachmann.

Cuyahoga App. No. 108243, 2019-Ohio-5125.

Donnelly, J., not participating.

2020-0123. Voleck v. Tennant.

Belmont App. No. 18 BE 0036, 2019-Ohio-4230.

2020-0148. State v. Reddick.

Guernsey App. No. 19 CA 48.

2020-0153. State v. Rice.

Lucas App. No. L-19-1048, 2019-Ohio-5278.

2020-0167. In re I.L.J.

Cuyahoga App. No. 108251, 2019-Ohio-5241.

2020-0173. State v. Cook.

Summit App. No. 25573, 2011-Ohio-4391.

O'Connor, C.J., not participating.

2020-0183. State v. Johnson.

Cuyahoga App. No. 107929, 2019-Ohio-5335.

2020-0187. State v. Hernandez.

Cuyahoga App. No. 108265, 2019-Ohio-5242.

Stewart, J., dissents and would hold the cause for 2019-0184, *State v. Hartman*.

2020-0194. State v. McGowan.

Franklin App. No. 18AP-467, 2019-Ohio-5319.

2020-0231. In re Adoption of A.B.

Logan App. No. 8-19-38, 2019-Ohio-5383. Appellee's motion to place appeal on expedited docket and motion for sanctions denied.

O'Connor, C.J., and French, J., would deny as moot the motion to place appeal on expedited docket.

Kennedy, J., dissents and would accept the appeal and would grant the motion to place appeal on expedited docket.

Fischer, J., dissents and would accept the appeal on proposition of law No. I and would grant the motion to place appeal on expedited docket.

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

2020-0247. State v. Perez.

Wayne App. No. 19AP0058.

Donnelly, J., dissents.

2020-0252. State v. Vinson.

Franklin App. Nos. 08AP-381 and 09AP-163, 2008-Ohio-6430.

French, J., not participating.

2020-0267. Nikooyi v. Affidavit of Criminal Complaint.

Cuyahoga App. Nos. 108787 and 108801, 2020-Ohio-192.

RECONSIDERATION OF PRIOR DECISIONS

2019-1405. State v. Edwards.

Franklin App. No. 17AP-738. Reported at 157 Ohio St.3d 1545, 2020-Ohio-168, 137 Ohio St.3d 1219. On motion for reconsideration. Motion granted and appeal reinstated. Appellant shall file his memorandum in support of jurisdiction within 30 days. Appellant's motion for court to certify a question of state law pursuant to S.Ct.Prac.R. 9.01 denied.

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

2019-1422. State v. Sharier.

Wayne App. No. 18AP0015, 2019-Ohio-3533. Reported at 157 Ohio St.3d 1544, 2020-Ohio-95, 137 N.E.3d 1226. On motion for reconsideration. Motion denied.

Donnelly and Stewart, JJ., dissent.

2019-1445. Meinerding v. Coldwater Exempted Village School Dist. Bd. of Edn.

Mercer App. No. 10-19-06, 2019-Ohio-3611. Reported at 157 Ohio St.3d 1536, 2020-Ohio-122, 137 N.E.3d 1202. On motion for reconsideration. Motion denied.

Donnelly, J., dissents.

2019-1458. Hiss v. Perkins Local School Dist. Bd. of Edn.

Erie App. No. E-18-034, 2019-Ohio-3703. Reported at 157 Ohio St.3d 1537, 2020-Ohio-122, 137 N.E.3d 1189. On motion for reconsideration. Motion denied.

2019-1580. Jacobs v. Dye Oil, L.L.C.

Monroe App. No. 18 MO 0020, 2019-Ohio-4085. Reported at 157 Ohio St.3d 1539, 2020-Ohio-122, 137 N.E.3d 1216. On motion for reconsideration. Motion denied.

Donnelly, J., dissents.

DISCIPLINARY CASES

2020-0227. Disciplinary Counsel v. Falconer.

Respondent, Christine Lynn Falconer, of Carrollton, Ohio, Attorney Registration No. 0069256, suspended from the practice of law for six months, with the entire suspension stayed on conditions.