

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

October 7, 2020

[Cite as *10/07/2020 Case Announcements, 2020-Ohio-4612.*]

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## MERIT DECISIONS WITH OPINIONS

**2019-0182. [State v. Henderson](#), Slip Opinion No. [2020-Ohio-4784](#).**

Cuyahoga App. No. 106308, 2018-Ohio-5155. Judgment reversed in part and cause remanded.

French, Fischer, and DeWine, JJ., concur.

O'Connor, C.J., concurs in judgment only, with an opinion.

Kennedy, J., concurs in judgment only, with an opinion.

Donnelly, J., concurs, with an opinion.

Stewart, J., concurs in judgment only.

**2020-0286. [McKinney v. Haviland](#), Slip Opinion No. [2020-Ohio-4785](#).**

Allen App. No. 1-19-68. Judgment affirmed.

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

## MERIT DECISIONS WITHOUT OPINIONS

**2019-1809. [Avery v. Wooten](#).**

Miscellaneous case. On respondents' motions to dismiss. Motions granted. Cause dismissed.

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

**2020-0749. State ex rel. Horizon Science Academy of Lorain, Inc. v. Ohio Dept. of Edn.**

In Mandamus. On motion to dismiss of respondent Ohio Department of Education et al. Motion denied. Respondent Governor Mike DeWine's motion to dismiss granted. This cause remains pending against the remaining respondents. Relators' motion for oral argument denied.

Sua sponte, alternative writ granted. The following briefing schedule is set for the presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 12.05: The parties shall file any evidence they intend to present within 20 days, relators shall file a brief within 10 days after the filing of the evidence, respondents shall file a brief within 20 days after the filing of relators' brief, and relator may file a reply brief within 7 days after the filing of respondents' brief.

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

Kennedy, J., would grant the motion for oral argument.

DeWine, J., would grant both motions to dismiss.

**2020-0835. State ex rel. Smith v. Phipps.**

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

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

**2020-0850. State ex rel. Davidson v. Beathard.**

In Mandamus and Prohibition. On relator's request for oral argument and motion to proceed to judgment. Request and motion denied. Sua sponte, cause dismissed.

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

**2020-0868. State ex rel. Carlton v. Heekin.**

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

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

Fischer, J., not participating.

**2020-0929. Grier v. Summit Cty. Common Pleas Court.**

In Procedendo. On respondents' motion to dismiss. Motion granted. Cause dismissed.

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

## MOTION AND PROCEDURAL RULINGS

### **2020-0848. State v. Barnes.**

Cuyahoga App. Nos. 108857, 108858, and 109321, 2020-Ohio-3184. On appellant's motion to reinstate. Motion denied. Appellant's motion to amend denied. Appellant may pursue relief by filing a motion for delayed appeal.

Donnelly, J., dissents.

### **2020-0990. State v. Stafford.**

Ashland App. No. 18-COA-036, 2020-Ohio-3993. On appellant's motion for immediate stay of sentence. Motion granted. Appellant's appeal bond continued pending resolution of this case.

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

### **2020-1035. In re B.D.**

Hamilton App. No. C-200177, 2020-Ohio-4128. On appellant's emergency motion for stay. Motion denied.

French, Donnelly, and Stewart, JJ., dissent.

## APPEALS ACCEPTED FOR REVIEW

### **2020-0797. State v. Crawford.**

Cuyahoga App. No. 108431, 2020-Ohio-2939. Appeal accept on proposition of law No. I.

French, Donnelly, and Stewart, JJ., would accept the appeal on both propositions of law.

Kennedy, Fischer, and DeWine, JJ., dissent.

### **2020-0859. State v. O'Malley.**

Medina App. No. 19CA0032-M, 2020-Ohio-3141.

O'Connor, C.J., would accept the appeal on proposition of law No. I only.

DeWine, J., dissents.