

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

February 18, 2020

[Cite as *02/18/2020 Case Announcements, 2020-Ohio-518.*]

MOTION AND PROCEDURAL RULINGS

2019-1758. State v. Johnston.

Miami App. No. 2018-CA-26, 2019-Ohio-4296. 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, J., dissent.

2019-1763. State v. Peyatt.

Monroe App. No. 18 MO 0006, 2019-Ohio-3585. 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.

2019-1767. State v. Byall.

Wayne App. No. 18AP0030, 2019-Ohio-3132. On motion for leave to file delayed appeal. Motion denied.

Fischer and Donnelly, JJ., dissent.

2019-1776. State v. Phillips.

Lucas App. No. L-18-1145, 2019-Ohio-3707. On motion for leave to file delayed appeal. Motion denied.

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

2019-1780. State v. Bolden.

Cuyahoga App. No. 104227, 2016-Ohio-8488. On motion for leave to file delayed appeal. Motion denied.

2019-1783. State v. Florencio.

Cuyahoga App. No. 109096. On motion for leave to file delayed appeal. Motion denied.

Kennedy and Donnelly, JJ., dissent.

2019-1789. State v. Loomis.

Franklin App. No. 17AP-843, 2019-Ohio-2576. 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., dissents.

French, J., not participating.

2019-1790. State v. Greiner.

Muskingum App. No. CT2019-0003, 2019-Ohio-3624. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

Stewart, J., dissents.

APPEALS ACCEPTED FOR REVIEW

2019-1692. State v. Shazier.

Logan App. No. 8-19-12, 2019-Ohio-4409. Sua sponte, cause held for the decision in 2018-0183, *State v. Buttery*.

Stewart, J., would not hold the cause.

Kennedy and Fischer, JJ., dissent.

2019-1714. In re P.B.

Fulton App. No. F-19-001, 2019-Ohio-4502. Appeal accepted on proposition of law No. III. Sua sponte, cause held for the decision in 2019-0621, *In re M.H.*

Fischer, Donnelly, and Stewart, JJ., would accept the appeal on all propositions of law.

Kennedy, French, and DeWine, JJ., dissent.

2020-0020. State v. Kemp.

Mahoning App. No. 19 MA 0044, 2019-Ohio-5094. Appeal accepted on proposition of law No. II. Sua sponte, cause held for the decision in 2019-1430, *State v. Dowdy*.

Fischer, J., would accept the appeal on all propositions of law.

Donnelly, J., would hold the cause also for the decision in 2019-1510, *State v. Reed*.

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

APPEALS NOT ACCEPTED FOR REVIEW

2019-1311. State v. Dennard.

Lorain App. No. 17CA011199, 2019-Ohio-2601.

2019-1342. State v. Martin.

Sandusky App. No. S-18-024, 2019-Ohio-2659.

2019-1623. State v. DeVore.

Ashland App. No. 19-COA-017.

2019-1639. Pariano v. Perrotti.

Medina App. No. 19CA0023-M, 2019-Ohio-4219.

Stewart, J., dissents.

2019-1640. State v. Conkle.

Summit App. No. 28927, 2019-Ohio-4242.

Donnelly and Stewart, JJ., dissent.

2019-1644. Stamper v. Belle Tire Distribs., Inc.

Medina App. No. 18CA0034-M, 2019-Ohio-4220.

Kennedy, French, and Stewart, JJ., dissent.

2019-1647. State v. Doogs.

Wood App. No. WD-19-046, 2019-Ohio-4610.

Donnelly, J., dissents and would appoint counsel.

2019-1652. State v. Powell.

Lucas App. Nos. L-18-1194 and L-18-1195, 2019-Ohio-4286.

French and Donnelly, JJ., dissent and would accept the appeal on proposition of law No. I.

2019-1653. May v. Donich Neurosurgery & Spine, L.L.C.

Summit App. No. 29215, 2019-Ohio-4246.

Donnelly, J., dissents.

2019-1656. In re C. T-T.

Cuyahoga App. No. 107059, 2019-Ohio-3362.

2019-1662. Howard v. Mgt. & Training Corp.

Marion App. No. 9-19-40, 2019-Ohio-4408. Appellant's complaint for a preliminary injunction and "motion for leave for corrections and additions to complaint for a preliminary injunction" denied.

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

2019-1663. Givens v. Yates.

Belmont App. No. 19 BE 0044.

2019-1664. Young v. Durrani.

Hamilton App. No. C-180193.

Fischer and DeWine, JJ., not participating.

2019-1668. State v. Perkins.

Richland App. No. 19CA38, 2019-Ohio-4328.

2019-1670. Goering v. Guinn.

Hamilton App. No. C-180528.

2019-1676. State v. Elliott.

Guernsey App. No. 18 CA 22, 2019-Ohio-4411.

2019-1677. State v. deLevie.

Licking App. No. 18-CA-111, 2019-Ohio-3563.

2019-1678. Santomauro v. SUMSS Property Mgt., L.L.C.

Summit App. No. 29032, 2019-Ohio-4335.

2019-1681. State v. Castaneda.

Medina App. No. 18CA0087-M, 2019-Ohio-4389.

2019-1682. State v. Powell.

Cuyahoga App. No. 107276, 2019-Ohio-4345.

2019-1683. Werden v. Hamilton Cty. Bd. of Revision.

Hamilton App. No. C-190394. Appellee's motion to dismiss denied as moot.
Kennedy, Fischer, and DeWine, JJ., would grant the motion to dismiss.

2019-1684. State v. Jaeger.

Medina App. No. 17CA0072-M, 2018-Ohio-2994. Appellant's motion for evidence denied.

2019-1689. Brown v. State.

Lucas App. No. L-18-1044, 2019-Ohio-4376.
Donnelly, J., dissents.

2019-1690. Allen-Story v. Story.

Cuyahoga App. No. 107750, 2019-Ohio-3888. Appellant's motion to accept mistakes denied.
French, J., would grant the motion to accept mistakes.
Donnelly, J., would deny the motion as moot.

2019-1691. State v. Murphy.

Cuyahoga App. No. 107836, 2019-Ohio-4347.
Donnelly, J., dissents.

2019-1693. Griffith v. Chelsea Condominium.

Cuyahoga App. No. 108988.

2019-1696. In re C.J.

Butler App. No. CA2019-01-013, 2019-Ohio-4403.
Kennedy, J., dissents.

2019-1698. Rice v. Turner.

Marion App. No. 19-19-42.

2019-1712. State v. Barnes.

Logan App. No. 8-18-67, 2019-Ohio-2634.

2019-1725. Weeks v. 203 Main St., L.L.C.

Lorain App. Nos. 18CA011405 and 18CA011417, 2019-Ohio-2850.
Kennedy, J., dissents.

2019-1726. Weeks v. 203 Main St., L.L.C.

Lorain App. Nos. 18CA011405 and 18CA011417, 2019-Ohio-2850.
Stewart, J., dissents.

2019-1751. In re E.B.

Hamilton App. No. C-190050, 2019-Ohio-3943.
Fischer, J., dissents.

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

2019-1752. Wisehart v. Wisehart.

Preble App. No. CA2018-12-019, 2019-Ohio-3833.

2019-1775. State v. Davis.

Franklin App. No. 19AP-419, 2019-Ohio-4956.

2019-1794. State v. Davis.

Franklin App. No. 18AP-921, 2019-Ohio-4692.

Donnelly, J., dissents and would appoint counsel.
French, J., not participating.

2019-1801. State v. Cotton.

Richland App. No. 2019CA0003, 2019-Ohio-4710.

2019-1808. State v. Johnson.

Lucas App. No. L-18-1265, 2019-Ohio-4899.

Donnelly, J., dissents and would hold the cause for 2018-0444, *State v. Jones*.

2020-0008. State v. Boware.

Summit App. No. 29538.

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

2020-0017. State v. Sands.

Lake App. Nos. 2019-L-022 and 2019-L-023.

RECONSIDERATION OF PRIOR DECISIONS

2019-1280. State v. Metz.

Cuyahoga App. No. 107945, 2019-Ohio-3370. Reported at 157 Ohio St.3d 1511, 2019-Ohio-5193, 136 N.E.3d 501. On motion for reconsideration. Motion denied.

Kennedy and Stewart, JJ., dissent.

2019-1344. State ex rel. Hillman v. O'Brien.

In Mandamus. Reported at 157 Ohio St.3d 1517, 2019-Ohio-5289, 136 N.E.3d 519. On motion for reconsideration. Motion denied.

French, J., not participating.

2019-1478. State v. Tewell.

Cuyahoga App. No. 108019, 2019-Ohio-3770. Reported at 157 Ohio St.3d 1514, 2019-Ohio-5193, 136 N.E.3d 513. On motion for reconsideration. Motion denied.