

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

December 31, 2020

[Cite as *12/31/2020 Case Announcements #2*, 2020-Ohio-6985.]

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## MERIT DECISIONS WITH OPINIONS

**2019-0364. *In re Estate of Shaffer*, Slip Opinion No. 2020-Ohio-6973.**

Lucas App. No. L-17-1128, 2019-Ohio-234. Slip opinion reissued on motion for reconsideration. Judgment reversed in part and cause remanded.

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

**2019-1104. *State v. Gideon*, Slip Opinion No. 2020-Ohio-6961.**

Allen App. Nos. 1-18-27, 1-18-28, and 1-18-29, 2019-Ohio-2482. Slip opinion reissued on motion for reconsideration. Judgment reversed and cause remanded.

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

Donnelly, J., dissents, with an opinion.

**2019-1594. *State v. Serna*, Slip Opinion No. 2020-Ohio-6930.**

Champaign App. No. 2018-CA-16, 2019-Ohio-4102. Cause dismissed as having been improvidently accepted.

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

DeWine, J., would not order that the opinion of the court of appeals not be cited.

Kennedy, J., dissents and would order briefing.

Donnelly, J., dissents and would reverse the judgment of the court of appeals and remand the cause for application of *State v. Patrick*, \_\_ Ohio St.3d \_\_, 2020-Ohio-6803, \_\_ N.E.3d \_\_.

**2020-0206. Scott v. Durrani, Slip Opinion No. 2020-Ohio-6932.**

Hamilton App. No. C-180641, 2019-Ohio-5351. Judgment reversed on the authority of *Wilson v. Durrani*, \_\_ Ohio St.3d \_\_, 2020-Ohio-6827, \_\_ N.E.3d \_\_, and cause remanded. Oral argument scheduled for March 3, 2021, canceled.

O'Connor, C.J., and Kennedy, French, Gwin, and Klatt, JJ., concur.

Stewart, J., concurs based only on stare decisis.

Donnelly, J., dissents and would allow the case to proceed to oral argument.

W. Scott Gwin, J., of the Fifth District Court of Appeals, sitting for Fischer, J.

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

**2020-0620. State v. Ramsay, Slip Opinion No. 2020-Ohio-6931.**

Medina App. No. 19CA0016-M, 2020-Ohio-1203. Judgment reversed and cause remanded for application of *State v. Patrick*, \_\_ Ohio St.3d \_\_, 2020-Ohio-6803, \_\_ N.E.3d \_\_.

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

DeWine, J., dissents and would dismiss the appeal as having been improvidently accepted.

**2020-1063. Carr v. Durrani, Slip Opinion No. 2020-Ohio-6943.**

Hamilton App. No. C-180458, 2020-Ohio-3787. Judgment reversed on the authority of *Wilson v. Durrani*, \_\_ Ohio St.3d \_\_, 2020-Ohio-6827, \_\_ N.E.3d \_\_, and cause remanded.

O'Connor, C.J., and Kennedy, French, Gwin, and Klatt, JJ., concur.

Stewart, J., concurs based only on stare decisis.

Donnelly, J., dissents and would affirm the judgment of the court of appeals for the reasons set forth in Justice Stewart's dissenting opinion in *Wilson*.

W. Scott Gwin, J., of the Fifth District Court of Appeals, sitting for Fischer, J.

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

**2020-1064. Schuster v. Durrani, Slip Opinion No. 2020-Ohio-6944.**

Hamilton App. No. C-180687, 2020-Ohio-3789. Judgment reversed on the authority of *Wilson v. Durrani*, \_\_ Ohio St.3d \_\_, 2020-Ohio-6827, \_\_ N.E.3d \_\_, and cause remanded.

O'Connor, C.J., and Kennedy, French, Gwin, and Klatt, JJ., concur.

Stewart, J., concurs based only on stare decisis.

Donnelly, J., dissents and would affirm the judgment of the court of appeals for the reasons set forth in Justice Stewart's dissenting opinion in *Wilson*.

W. Scott Gwin, J., of the Fifth District Court of Appeals, sitting for Fischer, J.

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

**2020-1065. Deck v. Durrani, Slip Opinion No. 2020-Ohio-6945.**

Hamilton App. No. C-180685, 2020-Ohio-3790. Judgment reversed on the authority of *Wilson v. Durrani*, \_\_ Ohio St.3d \_\_, 2020-Ohio-6827, \_\_ N.E.3d \_\_, and cause remanded.

O'Connor, C.J., and Kennedy, French, Gwin, and Klatt, JJ., concur.

Stewart, J., concurs based only on stare decisis.

Donnelly, J., dissents and would affirm the judgment of the court of appeals for the reasons set forth in Justice Stewart's dissenting opinion in *Wilson*.

W. Scott Gwin, J., of the Fifth District Court of Appeals, sitting for Fischer, J.

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

**APPEALS NOT ACCEPTED FOR REVIEW**

**2020-1096. State v. Jordan.**

Adams App. No. 19CA1105, 2020-Ohio-3928. On further consideration of the jurisdictional memoranda filed in this case, the court vacates its November 24, 2020 decision accepting the appeal and declines to accept jurisdiction of the appeal pursuant to S.Ct.Prac.R. 7.08(B)(4).

Donnelly, J., dissents.

## RECONSIDERATION OF PRIOR DECISIONS

### **2019-0364. In re Estate of Shaffer.**

Lucas App. No. L-17-1128, 2019-Ohio-234. Reported at \_\_ Ohio St.3d \_\_, 2020-Ohio-6672, \_\_ N.E.3d \_\_. On motion for clarification and/or reconsideration. Motion granted and slip opinion reissued.

### **2019-1104. State v. Gideon.**

Allen App. Nos. 1-18-27, 1-18-28, and 1-18-29, 2019-Ohio-2482. Reported at \_\_ Ohio St.3d \_\_, 2020-Ohio-5635, \_\_ N.E.3d \_\_. On motion for reconsideration. Motion granted and slip opinion reissued.

### **2020-1063. Carr v. Durrani.**

Hamilton App. No. C-180458, 2020-Ohio-3787. Reported at \_\_ Ohio St.3d \_\_, 2020-Ohio-5634, \_\_ N.E.3d \_\_. On motion for reconsideration. Motion denied.

French, Gwin, and Klatt, JJ., would deny the motion as moot.

Donnelly, J., dissents.

W. Scott Gwin, J., of the Fifth District Court of Appeals, sitting for Fischer, J.

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

### **2020-1064. Schuster v. Durrani.**

Hamilton App. No. C-180687, 2020-Ohio-3789. Reported at \_\_ Ohio St.3d \_\_, 2020-Ohio-5634, \_\_ N.E.3d \_\_. On motion for reconsideration. Motion denied.

French, Gwin, and Klatt, JJ., would deny the motion as moot.

Donnelly, J., dissents.

W. Scott Gwin, J., of the Fifth District Court of Appeals, sitting for Fischer, J.

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

### **2020-1065. Deck v. Durrani.**

Hamilton App. No. C-180685, 2020-Ohio-3790. Reported at \_\_ Ohio St.3d \_\_, 2020-Ohio-5634, \_\_ N.E.3d \_\_. On motion for reconsideration. Motion denied.

French, Gwin, and Klatt, JJ., would deny the motion as moot.

Donnelly, J., dissents.

W. Scott Gwin, J., of the Fifth District Court of Appeals, sitting for Fischer, J.

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