

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

January 15, 2020

[Cite as *01/15/2020 Case Announcements*, 2020-Ohio-88.]

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## MERIT DECISIONS WITH OPINIONS

**2017-0813. *State ex rel. New Wen, Inc. v. Marchbanks*, Slip Opinion No. 2020-Ohio-63.**

In Mandamus. Writ granted.

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

Kennedy, J., concurs, with an opinion joined by DeWine, J.

O'Connor, C.J., dissents, with an opinion joined by Donnelly and Stewart, JJ.

**2018-0796. *State v. Thomas*, Slip Opinion No. 2020-Ohio-64.**

Franklin App. No. 16AP-852, 2018-Ohio-758. Cause dismissed as having been improvidently accepted.

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

Kennedy and Fischer, JJ., dissent and would order briefing.

French, J., not participating.

## AFFIDAVITS OF DISQUALIFICATION

The chief justice has released the following judicial-disqualification opinions, which were previously issued as entries in response to affidavits of disqualification filed pursuant to R.C. 2701.03.

**19-AP-116. *In re Disqualification of Wallace*, 2019-Ohio-5452 (decided Sept. 27, 2019).**

**19-AP-117. In re Disqualification of Schweikert, 2019-Ohio-5451** (decided Sept. 26, 2019).

## **MOTION AND PROCEDURAL RULINGS**

**2019-0488. Stiner v. Amazon.com, Inc.**

Lorain App. No. 17CA011215, 2019-Ohio-586. On appellant's motion for leave to file reply brief under seal. Motion granted.

**2019-1465. Jackson v. May.**

In Habeas Corpus. On petitioner's motion for default judgment. Motion denied as moot.

**2019-1623. State v. DeVore.**

Ashland App. No. 19-COA-017, 2019-Ohio-4035. Sua sponte, the clerk of this court ordered to replace the existing notice of appeal with the notice of appeal for Ashland County Court of Appeals case No. 19-COA-017 and to transmit a copy to the clerk of the Ashland County Court of Appeals for filing.

**2019-1655. Burns v. Shoop.**

Ross App. No. 19CA3691. On appellant's memorandum in support of jurisdiction. This case originated in the court of appeals and therefore should proceed as an appeal of right pursuant to S.Ct.Prac.R. 5.01. It appears, however, that the decision being appealed is a magistrate's decision. Sua sponte, appellant therefore ordered to show cause within 14 days why the appeal should not be dismissed for lack of jurisdiction pursuant to R.C. 2505.02.

**2019-1815. Reister v. Gardner.**

Butler App. Nos. CA2019-01-010, CA2019-01-011, and CA2019-01-020, 2019-Ohio-4720. On motion for admission pro hac vice of Anthony M. Cillo. Motion granted. Pursuant to Gov.Bar R. XII(4), counsel shall file a notice of permission to appear pro hac vice with the Supreme Court's Office of Attorney Services within 30 days.

**2020-0058. State v. DeVore.**

Ashland App. No. 19-COA-012, 2019-Ohio-4034. Sua sponte, appellee allowed 30 days to file a memorandum in response to jurisdiction.

## DISCIPLINARY CASES

### **2019-0569. Disciplinary Counsel v. McNamee.**

On certification of default. Brian Francis McNamee, Attorney Registration No. 0040494, last known address in Fairview Park, Ohio, indefinitely suspended from the practice of law.

### **2019-1680. In re Resignation of Mason.**

On application for retirement or resignation of Lance Timothy Mason, Attorney Registration No. 0067346, last known address in Grafton, Ohio. Resignation accepted with disciplinary action pending.

### **2019-1761. In re Resignation of Winkfield.**

On application for retirement or resignation of Lawrence Edward Winkfield, Attorney Registration No. 0034254, last known business address in Columbus, Ohio. Application denied pursuant to Gov.Bar R. VI(11)(C).