

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

April 13, 2021

[Cite as *04/13/2021 Case Announcements, 2021-Ohio-1201.*]

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## MERIT DECISIONS WITHOUT OPINIONS

### **2021-0235. Pyles v. Eppinger.**

In Habeas Corpus. Sua sponte, cause dismissed.

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

### **2021-0237. Thomas v. Wainwright.**

In Habeas Corpus. Sua sponte, cause dismissed.

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

### **2021-0259. Appenzeller v. Frederick.**

In Habeas Corpus. Sua sponte, cause dismissed.

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

Brunner, J., would dismiss the cause for petitioner's failure to attach the judgment entry setting forth the sentence he challenges.

### **2021-0272. Adkins v. Robinson.**

In Habeas Corpus. Sua sponte, cause dismissed.

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

## MOTION AND PROCEDURAL RULINGS

### **2021-0201. State v. Conard.**

Ashtabula App. No. 2019-A-0065, 2020-Ohio-6673. 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.

### **2021-0213. State v. Clifford.**

Delaware App. No. 19 CAA 12 0068, 2020-Ohio-5095. 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 DeWine and Brunner, JJ., dissent.

### **2021-0221. State v. Townsend.**

Cuyahoga App. No. 108642. On amended 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 DeWine and Brunner, JJ., dissent.

## APPEALS ACCEPTED FOR REVIEW

### **2020-1337. State v. Reed.**

Montgomery App. No. 28442, 2020-Ohio-3574. Sua sponte, cause held for the decision in 2020-0648, *State v. Bethel*.

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

### **2021-0086. State v. Stone.**

Cuyahoga App. No. 109322, 2020-Ohio-5263. Sua sponte, cause held for the decision in 2020-1266, *State v. Maddox*.

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

### **2021-0124. State v. G.K.**

Cuyahoga App. No. 109058, 2020-Ohio-5083.

Fischer, Donnelly, and Brunner, JJ., dissent.

### **2021-0151. Barrow v. New Miami.**

Butler App. Nos. 2019-07-0112 and 2019-08-136.

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

**2021-0173. State v. Jones.**

Lake App. Nos. 2020-L-056, 2020-L-057, 2020-L-059, and 2020-L-060, 2020-Ohio-7002. Sua sponte, cause held for the decision in 2020-1266, *State v. Maddox*. Fischer and DeWine, JJ., dissent.

**APPEALS NOT ACCEPTED FOR REVIEW**

**2020-1400. State v. Downey.**

Fairfield App. Nos. 20-CA-03, 19-CA-29, and 19-CA-36.

**2020-1560. State v. Ramey.**

Coshocton App. No. 2019CA0013, 2020-Ohio-1572.

**2021-0045. State v. Smith.**

Hamilton App. No. C-190507, 2020-Ohio-4976.

Donnelly, J., dissents and would accept the appeal on proposition of law No. IV and would appoint counsel.

**2021-0074. State v. Lowery.**

Lucas App. No. L-18-1170, 2020-Ohio-5549.

**2021-0077. State v. Doogs.**

Wood App. No. WD-20-046, 2020-Ohio-5547.

Donnelly, J., dissents and would appoint counsel.

**2021-0078. Neal v. Lilly.**

Montgomery App. No. 28723, 2018-Ohio-1486.

**2021-0083. State v. Payne.**

Summit App. No. 29714, 2020-Ohio-4804.

**2021-0089. State v. Bradley.**

Cuyahoga App. No. 108983, 2020-Ohio-5617.

**2021-0092. State v. Fuller.**

Cuyahoga App. No. 108915, 2020-Ohio-6735.

**2021-0098. Amalgamated Transit Union, AFL-CIO, Local 697 v. Toledo Area Regional Transit Auth.**

Lucas App. No. L-19-1197, 2020-Ohio-6655.

Donnelly and Brunner, JJ., dissent.

**2021-0104. State v. Phillips.**

Cuyahoga App. No. 109077, 2020-Ohio-4748.

Donnelly, J., dissents.

**2021-0105. C.S.J. v. S.E.J.**

Cuyahoga App. No. 109737, 2020-Ohio-5627.

**2021-0106. Lemons v. State.**

Cuyahoga App. No. 109188, 2020-Ohio-5619.

**2021-0111. Lathan v. Lathan.**

Summit App. No. 29160, 2020-Ohio-5602.

Donnelly, J., dissents.

**2021-0112. Crider v. GMRI, Inc.**

Cuyahoga App. No. 108863, 2020-Ohio-3668.

**2021-0115. State v. Wright.**

Highland App. No. 20CA0005, 2020-Ohio-5195.

O'Connor, C.J., dissents and would appoint counsel.

**2021-0118. State v. Sturgill.**

Clermont App. No. CA2020-03-018, 2020-Ohio-6665.

Donnelly and Stewart, JJ., dissent.

**2021-0122. Physician's Ambulance Serv., Inc. v. Ohio Dept. of Medicaid.**

Franklin App. No. 20AP-32, 2020-Ohio-6842.

Brunner, J., dissents.

**2021-0125. Alonso v. Thomas.**

Lorain App. No. 19CA011483, 2021-Ohio-341.

**2021-0127. Chapman v. Gardner.**

Hamilton App. No. C-200143, 2020-Ohio-6717.

Brunner, J., dissents.

**2021-0129. Boolchand v. Boolchand.**

Hamilton App. No. C-200111, 2020-Ohio-6951.  
Kennedy, J., dissents.

**2021-0132. Eye v. Sal's Heating & Cooling, Inc.**

Cuyahoga App. No. 109212, 2020-Ohio-6737.

**2021-0135. Huffman v. Sunbelt Rentals, Inc.**

Hamilton App. No. C-190642.

**2021-0141. State v. Lee.**

Cuyahoga App. No. 109215, 2020-Ohio-6738.

**2021-0142. State v. Hoerig.**

Trumbull App. No. 2019-T-0012, 2020-Ohio-1333.

**2021-0143. State v. Lawson.**

Greene App. No. 2020-CA-16, 2020-Ohio-6852.

**2021-0145. Lloyd v. Thornsbery.**

Portage App. No. 2019-P-0108, 2021-Ohio-240.

**2021-0146. Lloyd v. Thornsbery.**

Portage App. No. 2019-P-0080, 2021-Ohio-239.

**2021-0149. Precision Strip, Inc. v. Dircksen.**

Auglaize App. Nos. 2-19-12 and 2-20-01. Appellants' motion to stay lower-court decision pending appeal denied.

**2021-0152. In re B.S.**

Erie App. No. E-19-052, 2020-Ohio-6775.

**2021-0154. State v. Ivery.**

Summit App. No. 28551, 2020-Ohio-3349.

**2021-0158. State v. Benge.**

Adams App. No. 20CA1112, 2021-Ohio-152.  
Brunner, J., dissents.

**2021-0163. In re Dn.R.**

Shelby App. No. 17-20-06, 2020-Ohio-6794.

**2021-0164. State v. Pryor.**

Stark App. No. 2020CA00172. Appellant’s “motion request an order of related documents from the Securities and Exchange Commission” denied.

**2021-0176. State v. Pettus.**

Hamilton App. No. C-170712, 2019-Ohio-2023.

Fischer, J., dissents and would accept the appeal on proposition of law Nos. I and II.

DeWine, J., not participating.

**2021-0189. State v. Robinson.**

Ashtabula App. No. 2020-A-0008, 2020-Ohio-6916.

Fischer and Brunner, JJ., dissent.

**2021-0195. In re M.B.**

Fairfield App. No. 2020 CA 00027, 2020-Ohio-6927.

**2021-0230. Mancz v. McHenry.**

Greene App. No. 2019-CA-74, 2021-Ohio-82.

**RECONSIDERATION OF PRIOR DECISIONS**

**2020-1441. State v. Howell.**

Greene App. No. 2019-CA-7, 2020-Ohio-821. Reported at 161 Ohio St.3d 1422, 2021-Ohio-254, 161 N.E.3d 720. On motion for reconsideration. Motion denied.

**2020-1442. State v. Schentur.**

Cuyahoga App. No. 108448, 2020-Ohio-1603. Reported at 161 Ohio St.3d 1440, 2021-Ohio-375, 162 N.E.3d 825. On motion for reconsideration. Motion denied.

Brunner, J., dissents and would grant the motion as to proposition of law No. I.

**2021-0156. Bank of New York Mellon v. Ackerman.**

Montgomery App. No. 28737, 2020-Ohio-6954. Reported at 161 Ohio St.3d 1445, 2021-Ohio-461, 163 N.E.3d 573. On emergency motion for reconsideration. Motion denied. Emergency motion for stay pending memorandum in support of jurisdiction by appellant Joyce L. Ackerman, “emergency judicial notice of timely

filing of ‘Appellant’s amended application for reconsideration, application for en banc consideration, motion to certify a conflict’ as filed in the lower appellate court,” “motion for immediate stay of appeal court judgment and immediate writ of possession to appellant Joyce L. Ackerman,” “emergency notice to the Supreme Court of appellant’s timely motion to certify a conflict is pending with the court of appeals,’ and emergency request for appointed counsel denied.

## **DISCIPLINARY CASES**

### **2021-0209. Disciplinary Counsel v. Devanney.**

On Certified Report by the Board of Professional Conduct, No. 2020-056. Katharina Eileen Devanney, Attorney Registration No. 0070197, last known business address in Medina, Ohio, suspended from the practice of law for one year, fully stayed on conditions.

O’Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart and Brunner, JJ., concur.