

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

April 28, 2021

[Cite as *04/28/2021 Case Announcements, 2021-Ohio-1398.*]

MERIT DECISIONS WITHOUT OPINIONS

2020-1469. State ex rel. Myers v. Meyers.

In Mandamus. Sua sponte, alternative writ granted. The following 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, relator 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 relator's brief, and relator may file a reply brief within 7 days after the filing of respondents' brief.

Sua sponte, cause consolidated with 2021-0211, *State ex rel. Myers v. Myers*, for the submission of evidence and briefs.

Sua sponte, respondents ordered to submit for in camera inspection unredacted copies of all records withheld in response to relator's public-records requests.

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

2021-0047. State ex rel. Cincinnati Enquirer v. Shanahan.

In Mandamus and Prohibition. On respondent's motion to dismiss. Motion denied. Relator's motion to consolidate case Nos. 2021-0047, 2021-0136, and 2021-0169 denied.

Sua sponte, alternative writ granted. The following 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, relator shall file a brief within 10 days after the filing of the evidence, respondent shall file a brief within 20 days after the filing of relator's brief, and relator may file a reply brief within 7 days after the filing of respondent's brief.

Sua sponte, cause consolidated with 2021-0169, *State ex rel. Volokh v. Shanahan*, for the submission of evidence and briefs.

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

2021-0093. State ex rel. Johnson v. Heath.

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

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

2021-0099. State ex rel. Heiney v. Grosko.

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

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

2021-0100. State ex rel. Allah-U-Akbar v. Ashtabula Cty. Court of Common Pleas.

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

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

2021-0117. State ex rel. Hasul v. Ohio Dept. of Rehab & Corr.

Miscellaneous case. On respondents' motion to dismiss. Motion granted. Cause dismissed.

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

2021-0169. State ex rel. Volokh v. Shanahan.

In Mandamus and Prohibition. On relator's motion to consolidate case Nos. 2021-0047, 2021-0136, and 2021-0169. Motion denied. Respondent's motion to dismiss for failure to state a claim upon which relief can be granted denied.

Sua sponte, alternative writ granted. The following 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, relator shall file a brief within 10 days after the filing of the evidence, respondent shall file a brief within 20 days after the filing of relator's brief, and relator may file a reply brief within 7 days after the filing of respondent's brief.

Sua sponte, cause consolidated with 2021-0047, *State ex rel. Cincinnati Enquirer v. Shanahan*, for the submission of evidence and briefs.

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

2021-0177. State v. Clinkscale.

In Mandamus. On respondents' motions to dismiss. Motions granted. Cause dismissed.

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

Brunner, J., not participating.

2021-0178. State ex rel. Heru v. Tuscarawas Cty. Court of Common Pleas.

In Mandamus and Prohibition. On respondents' motion for judgment on pleadings. Motion granted. Relator's amended motion for default judgment and amended motion to strike denied. Cause dismissed.

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

2021-0211. State ex rel. Myers v. Meyers.

In Mandamus. Sua sponte, alternative writ granted. The following 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, relator 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 relator's brief, and relator may file a reply brief within 7 days after the filing of respondents' brief.

Sua sponte, cause consolidated with 2020-1469, *State ex rel. Myers v. Myers*, for the submission of evidence and briefs.

Sua sponte, respondents ordered to submit for in camera inspection unredacted copies of all records withheld in response to relator's public-records requests.

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

2021-0236. State ex rel. Hamilton v. Franklin Cty. Aud.

In Mandamus. On respondents' motions to dismiss. Motions granted. Cause dismissed.

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

MOTION AND PROCEDURAL RULINGS

2021-0136. State ex rel. Cincinnati Enquirer v. Shanahan.

Hamilton App. No. C-200318. On relator's motion to consolidate case Nos. 2021-0047, 2021-0136, and 2021-0169. Motion denied.

2021-0191. Portage Cty. Educators Assn. for Dev. Disabilities—Unit B, OEA/NEA v. State Emp. Relations Bd.

Portage App. No. 2019-P-0055, 2020-Ohio-7004. On review of order certifying a conflict. The court determines that a conflict exists. The parties are to brief the issue as stated on page 5 of the court of appeals' January 27, 2021 judgment entry: "Whether R.C. 4117.11(B)(7), as applied to 'any place of private employment of any public official or representative of the public employer,' is constitutionally valid under the First Amendment as a reasonable time, place, or manner restriction on speech." The conflict case is *Harrison Hills Teachers Assn. v. State Emp. Relations Bd.*, 2016-Ohio-4661 (7th Dist.). Sua sponte, cause consolidated with 2021-0190, *Portage Cty. Educators Assn. for Dev. Disabilities—Unit B, OEA/NEA v. State Emp. Relations Bd.*

Brunner, J., dissents.

APPEALS ACCEPTED FOR REVIEW

2021-0172. State v. Blanton.

Adams App. Nos. 19CA1096 and 19CA1097, 2020-Ohio-7018.

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

2021-0190. Portage Cty. Educators Assn. for Dev. Disabilities—Unit B, OEA/NEA v. State Emp. Relations Bd.

Portage App. No. 2019-P-0055, 2020-Ohio-7004. First and second appeal accepted. Sua sponte, cause consolidated with 2021-0191, *Portage Cty. Educators Assn. for Dev. Disabilities—Unit B, OEA/NEA v. State Emp. Relations Bd.*

Fischer and Brunner, JJ., dissent.