

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

April 27, 2021

[Cite as *04/27/2021 Case Announcements, 2021-Ohio-1399.*]

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## MERIT DECISIONS WITHOUT OPINIONS

### **2021-0281. Gregory v. State.**

In Habeas Corpus. Sua sponte, cause dismissed.

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

### **2021-0282. Prigmore v. United States.**

In Habeas Corpus. Sua sponte, cause dismissed. Petitioner's "motion requesting this court order and review all public records etc.," "motion to expedite rulings and apply summary judgment," motion for "corrections and/or additions to previously filed documents," and "motion to add order to evidence in my case to support detention conditions as cruel and unusual punishment" denied as moot.

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

### **2021-0350. State v. Feagin.**

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

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

## APPEALS ACCEPTED FOR REVIEW

### **2021-0166. French v. Ascent Resources-Utica, L.L.C.**

Jefferson App. No. 19 JE 0015, 2020-Ohio-6828.

DeWine, Donnelly, and Brunner, JJ., dissent.

### **2021-0215. State v. Haynes.**

Wood App. No. WD-19-035, 2020-Ohio-6977. Appeal accepted on proposition of law No. II.

Kennedy and DeWine, JJ., dissent.

### **2021-0247. Newburgh Hts. v. State.**

Cuyahoga App. Nos. 109106 and 109114.

Fischer, J., would accept the appeal on proposition of law No. I only.

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

## APPEALS NOT ACCEPTED FOR REVIEW

### **2020-1396. State v. Perkins.**

Cuyahoga App. No. 108086, 2020-Ohio-3658.

### **2020-1492. State v. Toney.**

Mahoning App. No. 18 MA 0081, 2020-Ohio-5044.

Donnelly and Brunner, JJ., dissent.

### **2021-0085. State ex rel. Maynard v. Medina Courthouse Steering Commt.**

Medina App. No. 19CA0082-M, 2020-Ohio-5562.

Brunner, J., dissents.

### **2021-0087. State ex rel. Maynard v. Medina Cty. Facilities Taskforce Subcommittee.**

Medina App. No. 19CA0083-M, 2020-Ohio-5561.

Brunner, J., dissents.

### **2021-0119. State v. Carver.**

Highland App. No. 19CA17, 2020-Ohio-4984.

### **2021-0120. State v. Boyd.**

Cuyahoga App. No. 109052, 2020-Ohio-5181.

**2021-0131. Siegel v. State.**

Franklin App. No. 19AP-355, 2020-Ohio-4708. Appeal and cross-appeal not accepted.

Brunner, J., not participating.

**2021-0148. Smith v. Collectors Triangle, Ltd.**

Harrison App. No. 19 HA 0010, 2020-Ohio-4823.

Kennedy and Fischer, JJ., dissent.

**2021-0157. State v. Confere.**

Summit App. No. 29840. Appellee Dana Allen Confere's motion to remand denied. Appellee state of Ohio's motion to strike March 3, 2021 memorandum denied. Appellee Confere's motion to strike April 2, 2021 pleading denied.

Stewart, J., dissents and would grant the motion to remand and would deny the motions to strike as moot.

Brunner, J., dissents and would accept the appeal.

**2021-0159. State v. Johnson.**

Mahoning App. No. 20 MA 0008, 2020-Ohio-7025.

Brunner, J., dissents.

**2021-0161. State v. Williamson.**

Cuyahoga App. No. 109463, 2020-Ohio-6996. Appellant's motion for leave to take notice of motion to certify conflict denied.

Stewart, J., not participating.

**2021-0162. State ex rel. Merrill v. State.**

Lake App. No. 2019-L-164, 2020-Ohio-6811.

**2021-0165. State v. Blevins.**

Hamilton App. No. C-190560, 2020-Ohio-6860.

Fischer and DeWine, JJ., not participating.

**2021-0171. State v. Ford.**

Stark App. No. 2020CA00162. Appellant's motion to strike state's memorandum in response denied.

**2021-0174. GrafTech Internatl., Ltd. v. Pacific Emps. Ins. Co.**

Cuyahoga App. No. 109155.

Kennedy, J., dissents.

Stewart, J., not participating

**2021-0175. Setters v. Durrani.**

Hamilton App. No. C-190341, 2020-Ohio-6859.

Fischer and DeWine, JJ., not participating.

**2021-0182. State v. Hillman.**

Franklin App. Nos. 20AP-244 and 20AP-245, 2020-Ohio-5597.

**2021-0185. Suwareh v. Nwankwo.**

Butler App. No. CA2020-01-003, 2020-Ohio-6899.

**2021-0186. In re L.S.**

Ross App. No. 20CA3719, 2020-Ohio-5516.

**2021-0197. Peh v. Kollin.**

Greene App. No. 2019-CA-71, 2020-Ohio-4491.

**2021-0202. Steeplechase Village, Ltd. v. Columbus.**

Franklin App. No. 19AP-736, 2020-Ohio-7012.

Brunner, J., not participating.

**2021-0204. State v. Deaton.**

Montgomery App. No. 28735, 2020-Ohio-6955.

**2021-0205. Abdou v. Ohio Dept. of Agriculture.**

Franklin App. No. 19AP-633, 2020-Ohio-6937.

**2021-0206. Knapp v. Husa.**

Medina App. No. 20CA0019-M, 2020-Ohio-6987.

**2021-0207. Norman v. Kellie Auto Sales, Inc.**

Franklin App. No. 18AP-32, 2020-Ohio-6953.

O'Connor, C.J., and Stewart, J., dissent and would accept the appeal on proposition of law No. I and would hold the cause for the decision in 2020-0743, *Jezerinac v. Dioun*.

Brunner, J., not participating.

**2021-0212. State v. Mills.**

Summit App. No. 28954, 2021-Ohio-52.

**2021-0214. State v. Thomas.**

Marion App. No. 9-19-73, 2020-Ohio-5379.

Donnelly, J., dissents and would appoint counsel.

**2021-0222. State v. Davidson.**

Fayette App. No. CA2020-06-009. Appellant's motion to consolidate case with case No. 2021-0219 denied.

**2021-0225. State v. Justus.**

Franklin App. No. 20AP-552. Appellant's emergency petition and second emergency petition "for order to set aside any, all bonds issued in causes of action as enjoined/injoined and order the release of the relator from imprisonment under her own recognizance pending the outcome of this appeal of right" denied. Appellant's "petition for release from illegal incarceration" denied.

**2021-0238. State v. Lambert.**

Montgomery App. No. 28655, 2021-Ohio-17.

**2021-0245. State v. Mosley.**

Wayne App. No. 19AP0016, 2020-Ohio-5047.

**2021-0252. State v. Jewell.**

Auglaize App. No. 2-20-11, 2021-Ohio-32.

Donnelly, J., dissents.

**2021-0255. State v. Forrest.**

Cuyahoga App. No. 109230.

**2021-0275. State v. Taylor.**

Franklin App. No. 20AP-376, 2021-Ohio-285.

**2021-0283. State v. Schatzinger.**

Wyandot App. No. 16-20-04, 2021-Ohio-167.

**2021-0286. State v. White.**

Cuyahoga App. No. 109652, 2021-Ohio-126.

Donnelly, J., dissents and would hold the cause for the decision in 2020-1266, *State v. Maddox*.

**2021-0294. State v. Williamson.**

Cuyahoga App. No. 109463, 2020-Ohio-6996.

**2021-0296. State v. Workman.**

Auglaize App. No. 2-20-18.

**2021-0297. State v. Klein.**

Hamilton App. No. C-190619, 2020-Ohio-6948.

**2021-0305. State v. Hill.**

Lorain App. No. 20CA011687.

**2021-0308. State v. Hill.**

Franklin App. No. 19AP-711, 2021-Ohio-132.

**RECONSIDERATION OF PRIOR DECISIONS**

**2020-1437. Cincinnati v. Harrison.**

Hamilton App. No. C-200329. Reported at 161 Ohio St.3d 1440, 2021-Ohio-375, 162 N.E.3d 821. On motion for reconsideration. Motion denied.

Fischer and DeWine, JJ., not participating.

**2020-1456. Aceste v. Stryker Corp.**

Lucas App. No. L-19-1166, 2020-Ohio-4938. Reported at 161 Ohio St.3d 1440, 2021-Ohio-375, 162 N.E.3d 824. On motion for reconsideration of Stryker Corporation and Hammill Manufacturing Company. Motion denied. Motion for reconsideration of Hammill Manufacturing Company denied.

Kennedy, J., dissents.

**2020-1458. Russell v. McDonalds, Inc. #3737.**

Cuyahoga App. No. 109112, 2020-Ohio-4300. Reported at 161 Ohio St.3d 1440, 2021-Ohio-375, 162 N.E.3d 822. On motion for reconsideration. Motion denied.

**2020-1483. Beckelheimer v. Durrani.**

Hamilton App. No. C-180460. Reported at 161 Ohio St.3d 1441, 2021-Ohio-375, 162 N.E.3d 829. On motion for reconsideration. Motion denied.

Stewart, J., dissents.

Brunner, J., dissents and would grant the motion as to proposition of law Nos. I and III.

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.

**2020-1561. State v. Thomas.**

Lake App. No. 2019-L-085, 2020-Ohio-4635. Reported at 161 Ohio St.3d 1450, 2021-Ohio-534, 163 N.E.3d 596. On motion for reconsideration. Motion denied.

Donnelly and Stewart, JJ., dissent.