

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

May 25, 2021

[Cite as *05/25/2021 Case Announcements #2, 2021-Ohio-1782.*]

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## MERIT DECISIONS WITH OPINIONS

**2020-0143. *State v. Azeen*, Slip Opinion No. 2021-Ohio-1735.**

Cuyahoga App. No. 108072, 2019-Ohio-4677. Judgment reversed and cause remanded.

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

Stewart, J., dissents, with an opinion.

Brunner, J., dissents, with an opinion.

Mark L. Pietrykowski, J., of the Sixth District Court of Appeals, sitting for Donnelly, J.

**2020-0795. *Willacy v. Cleveland Bd. of Income Tax Rev.*, Slip Opinion No. 2021-Ohio-1734.**

Board of Tax Appeals, No. 2018-758. Decision affirmed.

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

Fischer, J., dissents, with an opinion.

## 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.

**21-AP-032. In re Disqualification of Binette, [2021-Ohio-1753](#) (decided Apr. 1, 2021).**

**21-AP-035. In re Disqualification of Reece, [2021-Ohio-1751](#) (decided Apr. 6, 2021).**

### **MISCELLANEOUS DISMISSALS**

**[2020-1099. Siltstone Servs., L.L.C. v. Guernsey Cty. Community Dev. Corp.](#)**  
Guernsey App. No. 19CA000047, 2020-Ohio-3877. On appellant's application for dismissal. Application granted. Cause dismissed.

**[2021-0583. Shadyside v. Givens.](#)**

Belmont App. No. 18 BE 0046, 2021-Ohio-1375. Appellant has not filed a memorandum in support of jurisdiction, due May 20, 2021, in compliance with the Rules of Practice of the Supreme Court of Ohio and therefore has failed to prosecute this cause with the requisite diligence. Cause dismissed. Appellant's motion for stay denied as moot.

### **MISCELLANEOUS ORDERS**

**In re Young, Cincinnati City Councilperson.**

On May 10, 2021, the state of Ohio presented a request that the chief justice establish a special commission of three retired judges pursuant to R.C. 3.16(C). Pursuant to R.C. 3.16, the special commission shall be established by the chief justice, not sooner than 14 days after receipt of the request, to consider the suspension from public office of Wendell Young, member of the Cincinnati City Council, in relation to felony charges pertaining to official conduct in office.

Accordingly, the following three retired judges are hereby appointed and directed to proceed as provided by R.C. 3.16:

Judge Janet R. Burnside

Judge David C. Faulkner

Judge Richard J. McMonagle

Pursuant to R.C. 3.16(C)(1), at least one member of the special commission is of the same party as the public official and all members of the special commission shall receive compensation for their services and reimbursement for expenses incurred in connection with special-commission functions, from funds appropriated by the attorney general's office.

It is further ordered that Michel Jendretzky, legal counsel in the Office of the Chief Legal Counsel at the Supreme Court of Ohio, shall serve as secretary to the special commission, with authority to contact the parties, schedule hearings, and sign orders on behalf of and at the direction of the special commission.

All documents in this matter shall be filed with the secretary to the special commission either by mail or in another manner directed by the secretary. The original and five copies of all documents shall be filed. All documents filed with the special commission shall also be served on all other parties to this matter on the day of filing with the secretary.

Pursuant to R.C. 3.16(C)(2), all meetings of the special commission shall be closed to the public and the records shall not be made available to the public for inspection or copying until the special commission issues its written report or otherwise concludes its proceedings.