

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

August 31, 2021

[Cite as *08/31/2021 Case Announcements #3, 2021-Ohio-2921.*]

MOTION AND PROCEDURAL RULINGS

1997-0737. *State v. Coleman.*

Clark C.P. No. 96CR0142. On appellee's motion to set execution date. Motion granted. Sentence ordered to be carried into execution by the warden of the Southern Ohio Correctional Facility or, in his absence, by the deputy warden on Thursday, October 30, 2025, in accordance with the statutes so provided.

Donnelly, J., concurs, with an opinion joined by Stewart and Brunner, JJ.

DONNELLY, J., concurring.

{¶ 1} I am troubled by this case—particularly by the fact that appellant, Timothy L. Coleman, was not afforded hearings on his postconviction-relief petitions, despite his ardent claims of actual innocence and what appear to be contested issues on factual matters outside the record. *See State v. Coleman*, 2d Dist. Clark No. 2001-CA-42, 2002-Ohio-5377, ¶ 2; *State v. Coleman*, 2d Dist. Clark No. 04CA43, 2005-Ohio-3874, ¶ 1, 3. I acknowledge, however, that the sole question before this court is whether this case has reached the procedural stage at which the court generally sets an execution date. This case has reached that stage. Thus, despite my concerns about this case in general, I must concur in this court's decision to grant the state of Ohio's motion to set an execution date.

STEWART and BRUNNER, JJ., concur in the foregoing opinion.
