

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

November 10, 2021

[Cite as *11/10/2021 Case Announcements*, 2021-Ohio-3908.]

MERIT DECISIONS WITH OPINIONS

2021-0751. Toledo Bar Assn. v. Long, Slip Opinion No. 2021-Ohio-3967.

On Certified Report by the Board of Professional Conduct, No. 2019-036. Stephen Dennis Long, Attorney Registration No. 0063824, last known business address in Toledo, Ohio, indefinitely suspended from the practice of law with no credit for the time served under the interim felony suspension imposed on March 20, 2019.

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

2021-0763. Cincinnati Bar Assn. v. Ludwig, Slip Opinion No. 2021-Ohio-3971.

On Certified Report by the Board of Professional Conduct, No. 2020-040. Nancy Hampton Ludwig, Attorney Registration No. 0077952, last known business address in Cincinnati, Ohio, suspended from the practice of law for two years, with credit for the time served under her November 1, 2019 attorney-registration suspension, and ordered to make restitution of \$316.50 to Brandon Ober within 30 days.

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

DeWine, J., not participating.

2021-0764. Disciplinary Counsel v. Wilcoxson, Slip Opinion No. 2021-Ohio-3964.

On Certified Report by the Board of Professional Conduct, No. 2020-049. Clinton Ralph Wilcoxson II, Attorney Registration No. 0061974, last known business address in Dayton, Ohio, suspended from the practice of law for two years with 18 months stayed on conditions.

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

MERIT DECISIONS WITHOUT OPINIONS

2020-0121. Heisa v. Butler Cty. Sheriff's Dept.

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, 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.

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

2021-0847. State ex rel. Marozzi v. Ohio House of Representatives.

In Mandamus. On relator's motion for leave to file amended complaint. Sua sponte, alternative writ granted. Relator's motion denied as moot. 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. Respondent ordered to file under seal for in camera inspection unredacted copies of all records withheld in response to relator's August 3, 2021 requests based on an assertion of attorney-client privilege.

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

2021-0950. State ex rel. Pattin v. Sixth Dist. Court of Appeals.

In Mandamus. On motion to dismiss of respondent Sixth District Court of Appeals. Motion granted. Motion to dismiss of respondent city of Toledo granted. Relator's motion for permissive joinder of parties and claims, second amended motion for

permissive joinder of parties and claims, second amended motion to nullify motion to dismiss, and motion for leave to amend pleading irregularities, add claims, correct case caption, and clerical errors denied. Cause dismissed.

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

2021-0956. State ex rel. McDougald v. May.

In Mandamus. On respondent's motion to dismiss. Motion granted. Relator's motion for supplemental writ of mandamus denied. Cause dismissed.

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

Kennedy, Donnelly, and Brunner, JJ., dissent and would grant an alternative writ.

2021-0969. State ex rel. Gonzales v. Sixth Dist. Court of Appeals.

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

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

Brunner, J., not participating.

2021-1006. Pyles v. Keller.

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

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

2021-1009. Jacomet v. State.

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

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

2021-1017. State v. Lawson.

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.

2021-1035. McDaniel v. Black.

In Procedendo and Habeas Corpus. On relator's motion to request leave to amend. Motion denied. Relator's motion to amend denied. Sua sponte, cause dismissed. Respondent's motion to dismiss denied as moot.

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

2021-1041. State ex rel. Johnson v. Kubilus.

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.

2021-1043. State ex rel. Kerr v. Collier.

In Mandamus. On respondent's motion to dismiss. Motion granted. Cause dismissed. Relator's request for an order pursuant to S.Ct.Prac.R. 4.01(A) denied as moot.

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

2021-1056. State ex rel. Suggs v. McConahay.

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, 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.

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

2021-1064. State ex rel. Griffin v. Sehlmeier.

In Mandamus. On relator's motion for default judgment. Motion 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.

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

2021-1070. Jabr v. State.

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.

2021-1084. Beall v. Montgomery 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.

2021-1124. State ex rel. Lyda v. Miller.

In Mandamus. Sua sponte, cause dismissed.

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

Donnelly and Brunner, JJ., dissent and would grant an alternative writ.

MOTION AND PROCEDURAL RULINGS

2021-1160. State v. Parks.

Lake App. No. 2021-L-021, 2021-Ohio-2883. On appellant's motion for stay. Motion denied.

Stewart, J., dissents.

APPEALS ACCEPTED FOR REVIEW

2021-0967. State v. Martin.

Cuyahoga App. No. 108996, 2021-Ohio-1096. Appeal accepted on proposition of law No. I.

Donnelly and Brunner, JJ., would accept the appeal on all propositions of law and would hold the cause for the decision in 2021-0579, *State v. Bunch*.

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

2021-0980. Doe v. Greenville City Schools.

Darke App. No. 2020-CA-4, 2021-Ohio-2127. Sua sponte, cause held for the decision in 2020-0705, *Maternal Grandmother v. Hamilton Cty. Dept. of Job & Family Servs.*

2021-0981. Valentine v. Cedar Fair, L.P.

Erie App. No. E-20-018, 2021-Ohio-2124.

Stewart and Brunner, JJ., dissent.

2021-1033. State v. Gwynne.

Delaware App. No. 16 CAA12 0056, 2021-Ohio-2378.

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

Mary Jane Trapp, J., of the Eleventh District Court of Appeals, sitting for Donnelly, J.