

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

June 8, 2022

[Cite as *06/08/2022 Case Announcements, 2022-Ohio-1837.*]

MERIT DECISIONS WITH OPINIONS

2021-1312. State ex rel. Jones v. Ohio State House of Representatives, Slip Opinion No. 2022-Ohio-1909.

In Mandamus. Respondents' motion to dismiss granted and cause dismissed.

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

Kennedy, J., concurs in judgment only, with an opinion.

Brunner, J., concurs in judgment only.

2021-1313. State ex rel. Johnson v. Ohio State Senate, Slip Opinion No. 2022-Ohio-1912.

In Mandamus. Respondents' motion to dismiss granted and cause dismissed.

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

Kennedy, J., concurs in judgment only, with an opinion.

Brunner, J., concurs in judgment only.

MERIT DECISIONS WITHOUT OPINIONS

2022-0108. State ex rel. Bur. of Workers' Comp. v. O'Donnell.

In Mandamus and Prohibition. On city of Parma's motion for leave to intervene. Motion denied for failure to comply with Civ.R. 24(C). Respondent's motion to dismiss 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, and Stewart, JJ., concur.

Brunner, J., would grant the motion for leave to intervene.

2022-0191. State ex rel. Ware v. Pureval.

In Mandamus. On relator's motion for default judgment. Motion denied. Respondent's motion to dismiss 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.

Kennedy, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

O'Connor, C.J., and Fischer, J., concur in part and dissent in part and would grant the motion to dismiss.

2022-0281. Knox 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.

2022-0285. Cook v. Chambers-Smith.

In Prohibition. On motions to dismiss of respondents Judge Vernon Preston, Judge Reginald J. Routson, and Annette Chambers-Smith. Motions granted. Relator's motions for default judgment, motion to amend response, and motion for discovery denied. Phillip Riegle's motion for judgment on pleadings granted. Cause dismissed.

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

2022-0308. State ex rel. Carter v. Walsh.

In Mandamus. On relator's motion to pause. Motion denied. Relator's motion for standby counsel, motion to continue pro se "and to unpaue mandamus," and motion to respond to motion to dismiss denied. Respondent's motion for judgment on pleadings granted. Cause dismissed.

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

2022-0309. State ex rel. Crawford v. Walsh.

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.

2022-0310. State ex rel. Higgins v. Walsh.

In Mandamus. On relator's motion for standby counsel. Motion denied. Relator's motion to pause denied. Respondent's motion for judgment on pleadings granted. Relator's "motion to unpaue and continue pro se" and "motion asking for relief" denied as moot. Cause dismissed.

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

2022-0311. State ex rel. Davis v. Walsh.

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.

2022-0312. State ex rel. Griffin v. Walsh.

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.

2022-0313. State ex rel. Griffin v. Oldfield.

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.

2022-0314. State ex rel. Lewis v. Walsh.

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.

2022-0323. Silver v. State.

In Prohibition. On respondent Judge Ashley Kilbane's motion to dismiss. Motion granted. Sua sponte, cause dismissed as to all respondents.

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

2022-0346. Griffiths v. Medina.

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

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

2022-0360. Arnoff v. Cuyahoga Cty. Fiscal Office.

Miscellaneous case. On respondent's motion to dismiss. Motion granted. Relator's motion for deposition by written questions and interrogatory for Cuyahoga County Auditor Dennis Kennedy denied as moot. Cause dismissed.

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

MOTION AND PROCEDURAL RULINGS

2008-1098. State v. Rarden.

Butler App. No. CA200703077. On appellant's motion for order or relief pursuant to S.Ct.Prac.R. 4.01. Motion denied.

2020-1498. State ex rel. Ware v. Crawford.

In Mandamus. On relator's motion for court order to compel respondent to comply with the court's order issued on February 8, 2022. Motion denied. Sua sponte, respondent ordered to show cause within 14 days why she should not be held in contempt for failing to provide the requested records per the court's February 8, 2022 order.

2021-1297. Howson v. Delaware Cty. Jail.

In Mandamus. On relator's motion to strike or alternatively issue an alternative deadline to respond to the entry granting dismissal of this action. Motion denied. Relator's motion to compel Ohio Department of Rehabilitation and Corrections to provide access to the clerk of court's electronic filing portal denied.

Brunner, J., would construe the motion strike or issue an alternative deadline as a motion for leave to file a motion for reconsideration and would grant the motion.

2021-1376. State v. Jones.

Cuyahoga App. No. 110081, [2021-Ohio-3359](#). On appellant's state exhaustion petition. Petition denied. Appellant's motion for state to waive exhaustion requirement denied.

2022-0388. 255 Fifth St. Holdings, L.L.C. v. 255 Fifth Ltd. Partnership.

Hamilton App. No. C-210325, [2022-Ohio-851](#). On appellant's emergency motion to stay proceedings during appeal. Motion denied.

DeWine, J., not participating.

APPEALS NOT ACCEPTED FOR REVIEW

2022-0254. Hope Academy v. White Hat Mgt., L.L.C.

Franklin App. No. 20AP-475, [2022-Ohio-178](#).

Kennedy, DeWine, and Brunner, JJ., dissent.

John W. Wise, J., of the Fifth District Court of Appeals, sitting for Fischer, J.

2022-0265. State v. Stewart.

Cuyahoga App. Nos. 109868 and 109867, [2022-Ohio-199](#).

Donnelly, Stewart, and Brunner, JJ., dissent.

2022-0351. State v. Curry.

Hamilton App. No. C-210274, [2022-Ohio-627](#).

Donnelly and Brunner, JJ., dissent and would reverse the court of appeals' judgment and would remand the cause to the trial court for clarification of its suppression decision under *Peter v. Union Mfg. Co.*, 56 Ohio St. 181, 207, 46 N.E. 894 (1897).

Stewart, J., dissents.