

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

December 27, 2022

[Cite as *12/27/2022 Case Announcements*, 2022-Ohio-4617.]

MOTION AND PROCEDURAL RULINGS

2022-1323. State v. Mizicko.

Trumbull App. No. 2021-T-0017, [2022-Ohio-262](#). On motion for leave to file delayed appeal. Motion denied.

Donnelly and Stewart, JJ., dissent.

2022-1324. State v. Moss.

Summit App. No. 30005, [2022-Ohio-1833](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

Kennedy and Brunner, JJ., dissent.

2022-1338. State v. Branco.

Stark App. No. 2020CA00153, [2021-Ohio-385](#). On motion for leave to file delayed appeal. Motion denied.

Donnelly and Stewart, JJ., dissent.

APPEALS ACCEPTED FOR REVIEW

2022-1069. State v. Taylor.

Franklin App. No. 19AP-396, [2022-Ohio-2877](#).

Donnelly and Stewart, JJ., dissent.

Brunner, J., not participating.

2022-1257. State v. Degahson.

Clark App. No. 2021-CA-35, [2022-Ohio-2972](#).

O'Connor, C.J., and DeWine and Stewart, JJ., would hold the cause for the decision in 2022-1037, *State v. Hurt*.

Kennedy, Fischer, and Donnelly, JJ., dissent.

2022-1266. State v. Dowdell.

Cuyahoga App. No. 111026, [2022-Ohio-2956](#). Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

2022-1293. State v. Harper.

Cuyahoga App. No. 111193, [2022-Ohio-3329](#). Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

DeWine, J., would accept the appeal on proposition of law Nos. II through V only.

2022-1345. State v. Dixon.

Hamilton App. No. C-210502, [2022-Ohio-3654](#). Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

Kennedy and DeWine, JJ., dissent.

2022-1366. State v. Reffitt.

Lake App. No. 2021-L-129, [2022-Ohio-3371](#). Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

2022-1383. State v. Bacon.

Hamilton App. No. C-210161. Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

DeWine, J., not participating.

APPEALS NOT ACCEPTED FOR REVIEW

2022-1077. Ijakoli v. Alungbe.

Hamilton App. No. C-210366, [2022-Ohio-2423](#).

2022-1092. In re S. Children.

Hamilton App. Nos. C-210672, C-210680, C-220005, and C-220006, [2022-Ohio-2941](#).

O'Connor, C.J., and Brunner, J., dissent and would summarily reverse the court of appeals' judgment and would remand the cause for further proceedings consistent with *In re K.K.*, __ Ohio St.3d __, 2022-Ohio-3888, __ N.E.3d __.

Kennedy, J., dissents.

2022-1097. State v. Searles.

Van Wert App. No. 15-19-05, [2020-Ohio-973](#).

2022-1188. State v. Froman.

Warren App. No. CA 2020-12-080.

2022-1206. State v. Fetherolf.

Union App. No. 14-21-11.

2022-1212. State v. Lockhart.

Delaware App. No. 22 CAA 07 0056, [2022-Ohio-3192](#).

2022-1214. State v. Griffy.

Medina App. No. 21CA0028-M, [2022-Ohio-2814](#).

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

2022-1219. Woods v. Sharkin.

Cuyahoga App. No. 110567, [2022-Ohio-1949](#).

2022-1221. Bromall v. Select Specialty Hosp. Akron, L.L.C.

Cuyahoga App. No. 110914, [2022-Ohio-2496](#).

Fischer and Brunner, JJ., dissent.

2022-1222. Tipton v. Costello.

Madison App. No. CA2022-04-005.

2022-1223. In re J.L.

Hamilton App. No. C-210586, [2022-Ohio-2885](#).

2022-1224. State v. Messenger.

Columbiana App. No. 21 CO 0017, [2022-Ohio-3120](#).

DeWine and Stewart, JJ., dissent.

2022-1225. Blassingame v. Pureval.

Hamilton App. No. C-210495.

2022-1226. State v. Philpotts.

Cuyahoga App. No. 110607, [2022-Ohio-2865](#).

2022-1232. State v. Struckman.

Hamilton App. No. C-210640, [2022-Ohio-2848](#).

Fischer, J., not participating.

2022-1241. State v. Brown.

Cuyahoga App. Nos. 110342, 110498, and 110499, [2022-Ohio-3032](#).

2022-1245. State v. Stoutamire.

Trumbull App. No. 2019-T-0033, [2022-Ohio-2926](#).

2022-1246. State v. Cleavenger.

Summit App. No. 29711, [2022-Ohio-1041](#).

2022-1247. Found. Medici v. Butler Inst. of Am. Art.

Trumbull App. No. 2020-T-0042, [2022-Ohio-2923](#).

Stewart and Brunner, JJ., dissent.

2022-1258. In re S. Children.

Hamilton App. Nos. C-220193 and C-220202.

Brunner, J., dissents.

2022-1259. State v. Gamble.

Columbiana App. No. 2021-CO-00006, [2022-Ohio-2964](#).

2022-1261. State v. Boyle.

Richland App. No. 22AC19.

2022-1265. Lok Home v. Robbins Co.

Cuyahoga App. No. 110544, [2022-Ohio-304](#).

2022-1278. Gillig v. Flenner.

Richland App. No. 2021 CA 0078, [2022-Ohio-2635](#).

Brunner, J., not participating.

2022-1280. State v. Smith.

Trumbull App. No. 2022-T-0037, [2022-Ohio-3374](#).

2022-1294. In re A.R.

Mahoning App. No. 22 MA 0019, [2022-Ohio-3323](#).

2022-1309. State v. Miller.

Montgomery App. No. 29542.

Donnelly and Brunner, JJ., dissent.

2022-1322. State v. Hughes.

Lucas App. No. L-22-1046.

2022-1343. State v. Singh.

Butler App. No. CA2021-12-158, [2022-Ohio-3385](#).

RECONSIDERATION OF PRIOR DECISIONS

2020-0652. State v. Drain.

Warren C.P. No. 19CR35870. Reported at __ Ohio St.3d __, [2022-Ohio-3697](#), __ N.E.3d __. On motion for reconsideration. Motion denied.

Brunner, J., dissents.

2020-1294. State v. Irvin.

Montgomery App. No. 28495, [2020-Ohio-4847](#). Reported at __ Ohio St.3d __, [2022-Ohio-3587](#), __ N.E.3d __. On motion for reconsideration. Motion denied.

Stewart and Brunner, JJ., dissent.

2020-1420. State v. Irvin.

Montgomery App. No. 28495, [2020-Ohio-4847](#). Reported at __ Ohio St.3d __, [2022-Ohio-3587](#), __ N.E.3d __. On motion for reconsideration. Motion denied.

Stewart and Brunner, JJ., dissent.

2020-1429. State v. Nicholas.

Champaign App. No. 2018-CA-25, [2020-Ohio-3478](#). Reported at __ Ohio St.3d __, [2022-Ohio-4276](#), __ N.E.3d __. On motion for reconsideration. Motion denied.

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

2021-1062. State ex rel. Bowling v. DeWine.

Franklin App. No. 21AP-380, [2021-Ohio-2902](#). Reported at __ Ohio St.3d __, 2022-Ohio-4122, __ N.E.3d __. On motion for reconsideration. Motion denied.

Fischer, J., dissents.

Emmanuella D. Groves, J., of the Eighth District Court of Appeals, sitting for DeWine, J.

2022-0895. State ex rel. Brown v. First Dist. Court of Appeals Judges.

In Mandamus and Prohibition. Reported at 168 Ohio St.3d 1412, [2022-Ohio-3636](#), 196 N.E.3d 841. On motion for reconsideration and clarification. Motion denied. Relator's motion to strike memo opposing motion for reconsideration denied.

Fischer, J., not participating.

2022-0945. State ex rel. McCarley v. Ohio Am. Water Co.

In Mandamus. Reported at 168 Ohio St.3d 1462, [2022-Ohio-4268](#), __ N.E.3d __. On motion for reconsideration. Motion denied.

2022-0994. State ex. rel. Rucci v. Schiavoni.

In Mandamus. Reported at 168 Ohio St.3d 1450, [2022-Ohio-3903](#), 198 N.E.3d 105. On motion to reconsider or in the alternative for leave to amend. Motion denied.

Kennedy, J., dissents.

2022-0999. State v. Pointer.

Cuyahoga App. No. 110918, [2022-Ohio-1942](#). Reported at 168 Ohio St.3d 1420, 2022-Ohio-3752, 196 N.E.3d 860. On motion to reconsider a decision on the merits. Motion denied. Appellant's motion for leave to amend motion for reconsideration denied.

Fischer, J., would deny the motion to amend as moot.

2022-1032. Alexander v. Davis.

Hamilton App. No. C-210461, [2022-Ohio-2345](#). Reported at 168 Ohio St.3d 1447, 2022-Ohio-3909, 197 N.E.3d 585. On motion for reconsideration. Motion denied.

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

2022-1123. State v. O'Day.

In Habeas Corpus. Reported at 168 Ohio St.3d 1417, [2022-Ohio-3752](#), 196 N.E.3d 851. On motion for reconsideration. Motion denied. Petitioner's motion to stay trial pending decision on petition for writ of habeas corpus denied as moot.

Kennedy and Fischer, JJ., would deny the motion to stay.

[2022-1149](#). *Suhay v. Fade*.

Ashtabula App. No. 2022-A-0008, [2022-Ohio-1368](#). Reported at 168 Ohio St.3d 1449, [2022-Ohio-3909](#), 197 N.E.3d 593. On motion for reconsideration. Motion denied.