

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

March 29, 2022

[Cite as *03/29/2022 Case Announcements, 2022-Ohio-994.*]

MERIT DECISIONS WITHOUT OPINIONS

2022-0132. Rohrig v. Columbus.

In Habeas Corpus. Sua sponte, cause dismissed.

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

2022-0138. State ex rel. Byron v. Collins.

In Habeas Corpus. Sua sponte, cause dismissed. Petitioner's request for complete record of transcripts/discovery at state's expense denied.

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

2022-0141. Clay v. McCarty.

In Habeas Corpus. Sua sponte, cause dismissed.

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

2022-0160. Walker v. State.

In Habeas Corpus. Sua sponte, cause dismissed.

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

MOTION AND PROCEDURAL RULINGS

2019-0487. State v. Lawson.

Lawrence C.P. No. 17CR0000333. On application for reopening under S.Ct.Prac.R. 11.06. Application denied.

2022-0140. State v. Richardson.

Trumbull App. No. 2020-T-0037, 2021-Ohio-3482. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

O'Connor, C.J., and DeWine and Brunner, JJ., dissent.

APPEALS ACCEPTED FOR REVIEW

2022-0047. Wray v. Ice House Ventures, L.L.C.

Franklin App. No. 21AP-24, 2021-Ohio-4195.

O'Connor, C.J., would accept the appeal on proposition of law Nos. I and II only.

Donnelly and Stewart, JJ., dissent.

2022-0121. State v. Williams.

Lorain App. No. 20CA011703, 2021-Ohio-4469.

Kennedy, J., dissents.

APPEALS NOT ACCEPTED FOR REVIEW

2021-1412. State v. Martin.

Mahoning App. No. 20 MA 0044, 2021-Ohio-3163.

2021-1453. State v. Warner.

Marion App. No. 9-21-14, 2021-Ohio-4183. Appellant's motion for stay of execution of sentence and admission to bail denied.

Stewart, J., dissents and would accept the appeal on proposition of law No. I and would grant the motion.

Brunner, J., dissents.

2021-1458. State v. Warner.

Marion App. No. 9-21-15, 2021-Ohio-4182. Appellant's motion for stay of execution of sentence and continuation of bond or new bond pending appeal denied.

Brunner, J., dissents.

2021-1511. Fannie Mae v. Dent.

Franklin App. No. 20AP-197, 2021-Ohio-3826.

2022-0026. State v. White.

Columbiana App. No. 2020 CO 0025.

2022-0027. SMS Fin. XXVI, L.L.C. v. Waxman Chabad Ctr.

Cuyahoga App. No. 110374, 2021-Ohio-4174.

Fischer, J., dissents.

2022-0028. SMS Fin. XXVI, L.L.C. v. Waxman Chabad Ctr.

Cuyahoga App. No. 110376, 2021-Ohio-4174.

Fischer, J., dissents and would accept the appeal on proposition of law No. I.

2022-0029. State v. Griffith.

Stark App. No. 2021 CA 00001, 2021-Ohio-4165.

DeWine, J., dissents.

2022-0032. State v. Elkins.

Sandusky App. No. S-21-010, 2021-Ohio-4231. Appellant's request for leave to file supporting documents denied.

2022-0037. Caldwell v. Custom Craft Builders, Inc.

Cuyahoga App. No. 110168, 2021-Ohio-4173.

2022-0040. State v. Daylong.

Franklin App. No. 19AP-279, 2021-Ohio-4192.

Brunner, J., not participating.

2022-0042. State v. Urbina.

Defiance App. Nos. 4-21-08 and 4-21-09, 2021-Ohio-4254.

2022-0044. Pernick v. Dallas.

Jefferson App. No. 21 JE 0011, 2021-Ohio-4635.

2022-0045. Cleveland v. Kushlak.

Cuyahoga App. No. 111016.

2022-0046. Terry v. Bell.

Lucas App. No. L-21-1057, 2021-Ohio-4235.

Brunner, J., dissents.

2022-0050. State v. Svoboda.

Hamilton App. Nos. C-190752 and C-190753, 2021-Ohio-4197.

Stewart and Brunner, JJ., dissent and would accept the appeal on proposition of law No. I.

DeWine, J., not participating.

2022-0051. State v. Bush.

Licking App. No. 2021 CA 0019, 2021-Ohio-4269.

DeWine and Stewart, JJ., dissent.

2022-0052. Buckeye Inst. v. Kilgore.

Franklin App. No. 21AP-193, 2021-Ohio-4196.

Kennedy, DeWine, and Donnelly, JJ., dissent.

Robin N. Piper III, J., of the Twelfth District Court of Appeals, sitting for Fischer, J.

2022-0056. State v. Terrell.

Cuyahoga App. No. 103428, 2021-Ohio-4563.

O'Connor, C.J., dissents and would accept the appeal on proposition of law No. I and would hold the cause for the decision in 2021-0794, *State v. Fuell*.

Stewart and Brunner, JJ., dissent.

2022-0057. Kidd v. Durrani.

Hamilton App. Nos. C-190618 and C-200018 through C-200022.

Stewart, J., dissents.

Fischer and DeWine, JJ., not participating.

2022-0069. Long v. Harding.

Butler App. No. CA2020-11-120, 2021-Ohio-4240.

2022-0071. State v. Brunk.

Richland App. No. 2021-CA-0037, 2021-Ohio-4270.

Donnelly and Brunner, JJ., dissent.

2022-0076. State v. Williams.

Erie App. No. E-18-024, 2019-Ohio-5144.

2022-0078. State v. Morris.

Summit App. No. 13366.

2022-0079. Osborn v. Durrani.

Hamilton App. No. C-200205, 2021-Ohio-3426.

Stewart, J., dissents.

Fischer and DeWine, JJ., not participating.

2022-0095. Lapkovitch v. Rankl & Ries Motorcars, Inc.

Stark App. No. 2021CA00062, 2021-Ohio-4436.

2022-0096. State v. Workman.

Auglaize App. No. 2-21-12.

2022-0115. State v. Fields.

Cuyahoga App. No. 107971, 2021-Ohio-201.

2022-0123. State v. Roberts.

Hamilton App. No. C-210310.

Fischer and DeWine, JJ., not participating.

2022-0145. State v. Brown.

Montgomery App. No. 21540.

2022-0167. State v. Taylor.

Montgomery App. No. 28609, 2021-Ohio-1745.

RECONSIDERATION OF PRIOR DECISIONS

2021-1376. State v. Jones.

Cuyahoga App. No. 110081, 2021-Ohio-3359. Reported at 165 Ohio St.3d 1505, 2022-Ohio-85, 179 N.E.3d 123. On motion for reconsideration. Motion denied.

2021-1421. State v. Walker.

Lucas App. No. L-20-1047, 2021-Ohio-3860. Reported at 165 Ohio St.3d 1506, 2022-Ohio-85, 179 N.E.3d 125. On motion for reconsideration. Motion granted. The case shall proceed in accordance with the Rules of Practice of the Supreme Court of Ohio.

O'Connor, C.J., and Stewart and Brunner, JJ., would hold the cause for the decision in 2021-0944, *State v. Messenger*.

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

2021-1430. Wisehart v. Wisehart.

Preble App. No. CA2021-01-001, 2021-Ohio-3649. Reported at 165 Ohio St.3d 1524, 2022-Ohio-258, 179 N.E.3d 1293. On motion for reconsideration. Motion denied.

2021-1462. State v. Mejia.

Union App. No. 14-19-28, 2020-Ohio-4883. Reported at 165 Ohio St.3d 1508, 2022-Ohio-140, 179 N.E.3d 1268. On amended motion for reconsideration. Motion denied.

Fischer, J., dissents.

2021-1464. State v. Martinez.

Union App. No. 14-19-29, 2020-Ohio-4883. Reported at 165 Ohio St.3d 1508, 2022-Ohio-140, 179 N.E.3d 1268. On motion for reconsideration. Motion denied.

Fischer and Stewart, JJ., dissent.

DISCIPLINARY MATTERS

2022-0154. Disciplinary Counsel v. Mager.

On Certified Report by the Board of Professional Conduct, No. 2021-021. Jessica Anne Mager, Attorney Registration No. 0073766, last known business address in Columbus, Ohio, suspended from the practice of law for six months, conditionally stayed.

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

Kennedy, J., dissents and would remand the cause.