

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

April 25, 2023

[Cite as *04/25/2023 Case Announcements*, 2023-Ohio-1326.]

MOTION AND PROCEDURAL RULINGS

2023-0256. State v. Jefferson.

Richland App. No. 2021 CA 0081, [2022-Ohio-3448](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days. Appellee's motion to dismiss appellant's motion for leave denied.

Fischer and Deters, JJ., concur in part and dissent in part and would deny appellant's motion for leave.

2023-0258. State v. Hill.

Stark App. No. 2017CA00183, [2018-Ohio-3901](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

DeWine, J., dissents.

2023-0272. State v. Rogers.

Erie App. Nos. E-21-027 and E-21-031, [2022-Ohio-4126](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

2023-0283. State v. Harless.

Franklin App. No. 21AP-415, [2022-Ohio-4475](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

DeWine and Deters, JJ., dissent.

2023-0288. State v. McGowan.

Sandusky App. No. S-20-020, [2022-Ohio-4124](#). On motion for leave to file delayed appeal. Motion denied.

2023-0302. State v. Boyd.

Mahoning App. No. 20 MA 0131, [2023-Ohio-271](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

Kennedy, C.J., and Deters, J., dissent.

APPEALS ACCEPTED FOR REVIEW

2023-0202. McDermott v. Ohio State Univ.

Franklin App. No. 22AP-76, [2022-Ohio-4780](#). Appeal accepted on proposition of law No. I. Sua sponte, cause held for the decision in 2023-0009, *Smith v. Ohio State Univ.*

Fischer, J., would also accept the appeal on proposition of law Nos. III and IV.

DeWine and Deters, JJ., would also accept the appeal on proposition of law No. II.

Kennedy, C.J., and Donnelly, J., dissent.

2023-0216. Corder v. Ohio Edison Co.

Harrison App. No. 21 HA 0008, [2022-Ohio-4818](#). Appeal accepted on proposition of law No. II.

DeWine, Donnelly, and Brunner, JJ., would accept the appeal on both propositions of law.

Kennedy, C.J., and Fischer and Stewart, JJ., dissent.

APPEALS NOT ACCEPTED FOR REVIEW

2022-1465. State v. Villafranco.

Clinton App. No. CA2021-09-029, [2022-Ohio-2826](#).

2022-1598. Lipin v. Wisehart.

Preble App. No. CA2022-09-017. Appellant's amended motion to consolidate with case Nos. 2022-1603 and 2023-0079 denied as moot.

Kennedy, C.J., and Fischer, J., would deny the motion on the merits.

2022-1603. Lipin v. Wisehart.

Preble App. No. CA2022-11-018. Appellant’s motion to consolidate with case Nos. 2022-1598 and 2023-0079 denied as moot.

Kennedy, C.J., and Fischer, J., would deny the motion on the merits.

2023-0053. Gordon Restaurants, Inc. v. W.S. Carlile & Sons Co.

Franklin App. Nos. 21AP-550 and 21AP-551, [2022-Ohio-4589](#).

2023-0079. Lipin v. Wisehart.

Preble App. No. CA2022-12-022. Appellant’s motion to consolidate with case Nos. 2022-1598 and 2022-1603 denied as moot.

Kennedy, C.J., and Fischer, J., would deny the motion on the merits.

2023-0105. Johnson v. Houser.

Lucas App. No. L-22-1272. Appellant’s “motion of notice of appeal” denied. Appellee Jane Roman’s motion to dismiss pursuant to S.Ct.Prac.R. 7.01(A) or, in the alternative, to strike pursuant to S.Ct.Prac.R. 3.11(E) denied as moot.

Kennedy, C.J., would deny appellee Jane Roman’s motion on the merits.

Fischer, J., would deny appellant’s motion as moot.

Donnelly, J., would grant appellee Jane Roman’s motion.

2023-0144. State v. Bias.

Franklin App. No. 21AP-329, [2022-Ohio-4643](#).

2023-0148. State v. Barnes.

Muskingum App. No. CT2022-0001, [2022-Ohio-4613](#).

Stewart and Brunner, JJ., dissent.

2023-0158. State v. Olman.

Belmont App. No. 21 BE 0034, [2022-Ohio-4678](#).

2023-0159. Steese v. Canton Regency.

Stark App. No. 2022CA00038, [2022-Ohio-4711](#).

2023-0168. Findlay v. Martens.

Hancock App. No. 5-22-05, [2022-Ohio-4146](#).

2023-0171. Blue Ash Auto Body, Inc. v. Grange Property & Cas. Ins. Co.
Hamilton App. No. C-220165, [2022-Ohio-4599](#).

Kennedy, C.J., dissents.
Brunner, J., not participating.

2023-0175. Thorson Baker & Assocs., Inc. v. Nicholas.
Cuyahoga App. No. 111374, [2022-Ohio-4636](#).

Donnelly, J., dissents.

2023-0193. Lepsky v. Lepsky.
Stark App. No. 2021 CA 00155, [2022-Ohio-4710](#).

2023-0194. Lakewood Cliffs, L.L.C. v. Weiler.
Cuyahoga App. No. 112256.

2023-0200. State v. Farthing.
Fairfield App. No. 22 CA 02.

2023-0205. Perez v. Crown Equip. Corp.
Allen App. No. 01-22-26, [2022-Ohio-4761](#).

2023-0207. Carroll v. Huber.
Stark App. No. 2022CA00073, [2022-Ohio-4712](#).

2023-0210. State v. Cobb.
Cuyahoga App. No. 106928, [2019-Ohio-2320](#).
Donnelly, J., dissents.

2023-0211. Cirino v. Ohio Bur. of Worker's Comp.
Cuyahoga App. No. 110654, [2022-Ohio-1495](#).

2023-0215. State v. Jones.
Hamilton App. No. C-220655.
Stewart, J., dissents.
Deters, J., not participating.

2023-0221. State v. Johnpillai.
Licking App. No. 2022 CA 00077, [2023-Ohio-37](#).

2023-0224. State v. Horsley.

Pickaway App. No. 99CA33.

2023-0231. Hawes v. Downing Health Technologies L.L.C.

Cuyahoga App. No. 110920, [2022-Ohio-1677](#).

2023-0248. State v. Elliott.

Trumbull App. No. 2022-T-0016, [2023-Ohio-181](#).

Donnelly, J., dissents and would appoint counsel.

2023-0250. State v. Diamond.

Lorain App. No. 22CA011837, [2023-Ohio-40](#).

2023-0263. State v. Elek.

Lorain App. No. 20CA011611, [2023-Ohio-41](#).

2023-0275. Cleveland v. Thurman.

Cuyahoga App. No. 111410, [2023-Ohio-301](#).

2023-0310. State v. Crane.

Licking App. No. 2022-CA-00044, [2023-Ohio-188](#).

2023-0325. State v. Rexroad.

Scioto App. No. 21CA3972, [2023-Ohio-356](#).

2023-0339. State v. Donaldson.

Montgomery App. No. 29473, [2023-Ohio-234](#).

2023-0349. State v. Banks.

Scioto App. Nos. 22CA3980 and 22CA3981.

2023-0357. State v. Hamilton.

Lake App. No. 2022-L-074, [2023-Ohio-415](#).

2023-0370. State v. Heiney.

Lucas App. No. L-22-1239.

RECONSIDERATION OF PRIOR DECISIONS

2022-1505. State ex rel. Reese v. Logan.

In Mandamus. Reported at 169 Ohio St.3d 1436, 2023-Ohio-482, 203 N.E.3d 718.
On motion for reconsideration. Motion denied.

2022-1526. State ex rel. Tingler v. Perkins Twp. Police Dept.

In Mandamus. Reported at 169 Ohio St.3d 1436, 2023-Ohio-482, 203 N.E.3d 718.
On motion for reconsideration. Motion denied.

2022-1528. State ex rel. Tingler v. Ohio State Hwy. Patrol.

In Mandamus. Reported at 169 Ohio St.3d 1436, 2023-Ohio-482, 203 N.E.3d 718.
On motion for reconsideration. Motion denied.

2022-1533. State ex rel. Tingler v. Toledo Police Dept.

In Mandamus. Reported at 169 Ohio St.3d 1436, 2023-Ohio-482, 203 N.E.3d 719.
On motion for reconsideration. Motion denied.

2022-1539. State ex rel. Tingler v. Howe-Gebbers.

In Mandamus. Reported at 169 Ohio St.3d 1437, 2023-Ohio-482, 203 N.E.3d 720.
On motion for reconsideration. Motion denied.

2022-1544. State ex rel. Tingler v. Ohio Dept. of Rehab. & Corr.

In Mandamus. Reported at 169 Ohio St.3d 1437, 2023-Ohio-482, 203 N.E.3d 720.
On motion for reconsideration. Motion denied.

2022-1562. State ex rel. Tingler v. Ohio Atty. Gen.

In Mandamus. Reported at 169 Ohio St.3d 1437, 2023-Ohio-482, 203 N.E.3d 720.
On motion for reconsideration. Motion denied.

2022-1563. State ex rel. Tingler v. Cincinnati Police Dept.

In Mandamus. Reported at 169 Ohio St.3d 1437, 2023-Ohio-482, 203 N.E.3d 721.
On motion for reconsideration. Motion denied.

Deters, J., not participating.

2022-1568. State ex rel. Tingler v. Junk.

In Mandamus. Reported at 169 Ohio St.3d 1437, 2023-Ohio-482, 203 N.E.3d 721.
On motion for reconsideration. Motion denied.

2022-1573. State ex rel. Tingler v. Bodenbender.

In Mandamus. Reported at 169 Ohio St.3d 1437, 2023-Ohio-482, 203 N.E.3d 722.
On motion for reconsideration. Motion denied.

2022-1576. State ex rel. Tingler v. Howe-Gebers.

In Mandamus. Reported at 169 Ohio St.3d 1437, 2023-Ohio-482, 203 N.E.3d 721.
On motion for reconsideration. Motion denied.

2022-1584. State ex rel. Tingler v. Huron Cty. Sheriff's Office.

In Mandamus. Reported at 169 Ohio St.3d 1438, 2023-Ohio-482, 203 N.E.3d 722.
On motion for reconsideration. Motion denied.

2022-1586. State ex rel. Tingler v. Huron Cty. Prosecutor's Office.

In Mandamus. Reported at 169 Ohio St.3d 1438, 2023-Ohio-482, 203 N.E.3d 722.
On motion for reconsideration. Motion denied.

2022-1591. State ex rel. Tingler v. Richland Cty. Sheriff's Office.

In Mandamus. Reported at 169 Ohio St.3d 1438, 2023-Ohio-482, 203 N.E.3d 723.
On motion for reconsideration. Motion denied.

2022-1623. State ex rel. Tingler v. Toledo Police Dept.

In Mandamus. Reported at 169 Ohio St.3d 1438, 2023-Ohio-482, 203 N.E.3d 723.
On motion for reconsideration. Motion denied.

2022-1628. State ex rel. Tingler v. Lucas Cty. Clerk of Courts.

In Mandamus. Reported at 169 Ohio St.3d 1438, 2023-Ohio-482, 203 N.E.3d 723.
On motion for reconsideration. Motion denied.