

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

January 25, 2023

[Cite as *01/25/2023 Case Announcements, 2023-Ohio-152.*]

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## MERIT DECISIONS WITHOUT OPINIONS

**2022-0231. Freeman v. Spencer.**

In Procedendo. Sua sponte, cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

**2022-0420. Bennett v. State.**

In Mandamus. On motions to dismiss of respondents Anthony Costello, Benjamin Ayers, Summit County Job and Family Services Agency et al., Akron Police Department, and Judge Linda Teodosio et al. Motions granted. Sua sponte, cause dismissed as to remaining respondents. Cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

**2022-0633. Waterhouse v. AMHA.**

In Procedendo. On motion to dismiss of respondents AMHA et al. Motion granted. Relator's motion to enter statement and motion to enter evidence denied as moot. Relator's motion to perfect service denied. Sua sponte, cause dismissed as to remaining respondents. Cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

**2022-0836. In re Allen v. McClain.**

In Mandamus and Prohibition. Sua sponte, cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

**2022-1004. Harris v. Adam.**

In Mandamus. Sua sponte, cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

**2022-1195. State ex rel. Brame v. Hamilton Cty. Common Pleas Court.**

In Mandamus and Prohibition. On motions to dismiss of respondents Hamilton County et al.; Manley, Deas & Kochalski, L.L.C., and David E. Johnson; and Wells Fargo Bank, N.A. Motions granted. Sua sponte, cause dismissed as to remaining respondents. Cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

**2022-1235. McNutt v. Anderson.**

In Quo Warranto. On motions to dismiss of respondents Brandon Waltenbaugh and Toni Anderson, David Haverfield, Jamie Grunder, Jeffrey Kiggans, Judge Adam Wilgus, and Mary Warlop. Motions granted. Relators' motions to add Kristine W. Beard and Kevin R. L'Hommedieu, "motion for review of perjury," motion to bring charges, motion for order of protection, motion to strike, and "motion for peaceful protest" denied. Relators' motions to remove Jesse Jackson, Melissa Perry, and Amy Thomas's Lighthouse Center granted. Sua sponte, cause dismissed as to remaining respondents. Cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

**2022-1275. State ex rel. Majid v. Eighth Dist. Court of Appeals.**

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

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

**2022-1292. Whitacre v. Regel.**

In Mandamus. On respondents' motion to dismiss. Motion granted. Relator's motion to strike motion to dismiss denied. Cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

**2022-1302. Whitacre v. Ohio Pub. Defender.**

In Mandamus. On respondents' motion to dismiss. Motion granted. Relator's motion to strike denied. Cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

**2022-1316. State ex rel. Sultaana v. Mansfield Corr. Inst.**

In Mandamus. On respondent's motion to dismiss. Motion granted. Relator's emergency motion to compel denied as moot. Cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

**2022-1330. State ex rel. Sultaana v. Ohio Dept. of Rehab. & Corr.**

In Mandamus. On relator's emergency motion to compel. Motion denied. Respondent's motion to dismiss complaint and amended complaint granted. Relator's motion to take judicial notice, motion to compel, and motion to strike denied as moot. Respondent's motion to declare relator a vexatious litigator granted. Amirah Sultaana found to be a vexatious litigator under S.Ct.Prac.R. 4.03(B). Accordingly, Amirah Sultaana prohibited from continuing or instituting legal proceedings in this court without first obtaining leave. Any request for leave shall be submitted to the clerk of this court for the court's review. Cause dismissed.

Fischer, DeWine, Donnelly, Brunner, and Deters, JJ., concur.

Kennedy, C.J., concurs in part and dissents in part and would deny respondent's motion to declare relator a vexatious litigator.

Stewart, J., concurs in part and dissents in part and would grant relator's motion to take judicial notice, deny respondent's motions, grant an alternative writ, and deny relator's motion to compel and motion to strike on the merits.

**2022-1339. State v. Nixon.**

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

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

**2022-1341. McNutt v. Young.**

Miscellaneous case. On respondent's motion to dismiss. Motion granted. Relators' motion to exclude Tuscarawas County Job and Family Services denied as moot. Cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

**2022-1347. State ex rel. Boyle v. Fifth Dist. Court of Appeals Judges.**

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

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

**2022-1360. State ex rel. Jordan v. Hamilton Cty. Prosecutor's Office.**

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

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

Deters, J., not participating.

**2022-1362. State ex rel. Jordan v. Cincinnati, Police Dept. Records.**

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

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

**2022-1374. State ex rel. Keith v. Hamilton Cty. Clerk of Courts.**

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

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

**2022-1375. Anderson v. Corr. Inst. Inspection Commt.**

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

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

**2022-1384. Sevilla v. Cocroft.**

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

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

**2022-1388. Byrd v. Shuster.**

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

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

**2022-1422. State ex rel. Keith v. Springdale Tax Comm.**

In Mandamus. On motions to dismiss of respondents Ohio Department of Taxation and Ohio Department of Job and Family Services. Motions granted. Sua sponte, cause dismissed as to respondent Springdale Tax Commission. Cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

**2022-1424. Perry v. Rice.**

In Mandamus and Prohibition. On respondent's motion to dismiss. Motion granted. Cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, and Deters, JJ., concur.

Brunner, J., dissents and would grant an alternative writ.

**2022-1434. Whitacre v. Yoss.**

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

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

**2022-1436. State ex rel. Douglas v. Cuyahoga Cty. Treasurer.**

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

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

**2022-1441. Anderson v. Monroe Cty.**

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

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

**MOTION AND PROCEDURAL RULINGS**

**2018-0666. State ex rel. McBroom v. Tenth Dist. Court of Appeals.**

In Mandamus. On relator's motion filed December 12, 2022. Motion denied.

**2018-1163. State ex rel. McBroom v. Gertmenian.**

In Mandamus. On relator's motion filed December 12, 2022. Motion denied.

**2022-0592. Waterhouse v. Summit Cty. Common Pleas Court.**

In Procedendo. On relator's motion filed November 16, 2022. Motion denied. Relator's motion for sanctioned default judgment denied.

**2022-0736. State v. Jordan.**

Hamilton App. Nos. C-210198 and C-210199, [2022-Ohio-1512](#). On appellee's motion to dismiss or, in the alternative, to strike. Motion denied as moot.

Brunner, J., dissents and would grant appellee's motion to strike.

**2022-1044. State ex rel. Barr v. Wesson.**

Miscellaneous case. On relator's "motion to strike respondent's motion for leave and motion to answer to amended complaint and to strike from the record." Motion denied as moot. 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.

**2022-1070. State ex rel. Clark v. Ohio Dept. of Rehab. & Corr.**

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.

**2022-1143. State v. Whitt.**

Coshocton App. No. 22CA0012. On appellant's petition for removal of clerk of court. Petition denied.

**2022-1271. Rosenthal v. Cuyahoga Cty. Common Pleas Court Div. of Domestic Relations.**

In Mandamus and Prohibition. On respondent's motion to dismiss. Motion denied as moot. Relator's motion for leave to file amended complaint and motion to strike motion to dismiss denied as moot. Under Civ.R. 15(A), relator was not required to seek leave to file an amended complaint. Relator's amended complaint was filed on November 16, 2022. Sua sponte, respondent ordered to file a response, if any, to the amended complaint within 21 days.

**2022-1314. State ex rel. Howson v. Ohio Atty. Gen.**

In Mandamus. On respondent's motion to dismiss. 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.

Fischer, J., dissents and would grant the motion.

**2022-1386. Abedrabbo v. Reali.**

In Mandamus. On respondent's motion to dismiss. 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.

**2022-1426. State v. Walker.**

Darke App. No. 2022-CA-2, [2022-Ohio-3849](#). On appellant's motion for immediate stay of court of appeals' judgment. Motion denied.

Brunner, J., dissents.

**2022-1495. State ex rel. Maron v. Corrigan.**

Cuyahoga App. No. 112130. On appellant's motion to stay underlying proceedings. Motion denied. United Twenty-Fifth Building, L.L.C.'s motion to intervene denied.