

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

May 17, 2023

[Cite as *05/17/2023 Case Announcements*, 2023-Ohio-1635.]

MERIT DECISIONS WITH OPINIONS

2022-0143. State ex rel. McDonald v. Indus. Comm., Slip Opinion No. 2023-Ohio-1620.

Franklin App. No. 20AP-386, [2021-Ohio-4494](#). Judgment affirmed.

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

MERIT DECISIONS WITHOUT OPINIONS

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

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

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

2022-1649. State ex rel. Mobley v. Yost.

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

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

Brunner, J., would sua sponte dismiss the cause and deny the motion as moot.

Stewart, J., dissents and would issue an alternative writ and award statutory damages.

2023-0096. State ex rel. Walker v. Ormsby.

In Mandamus. On respondents' motion to dismiss. Motion granted. Sua sponte, amended complaint stricken. Cause dismissed.

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

2023-0160. State ex rel. Tingler v. Hilton.

In Mandamus. Cause dismissed pursuant to S.Ct.Prac.R. 12.04.

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

2023-0242. State ex rel. Tingler v. Faber.

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.

2023-0251. State ex rel. Barr v. Wesson.

In Mandamus. On respondent's motion to dismiss. Motion granted as to Nos. 1 and 3 of the requested categories of records. Sua sponte, alternative writ granted as to Nos. 2, 4, and 5 of the requested categories of records. 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, Stewart, Brunner, and Deters, JJ., concur.

Kennedy, C.J., and DeWine and Donnelly, JJ., concur in part and dissent in part and would grant the motion as to all requested categories of records.

2023-0252. State ex rel. Williams v. Hamilton Cty. Court of Common Pleas.

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

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

Brunner, J., concurs in part and dissents in part and would grant an alternative writ as to the 2017 petition.

Fischer and Deters, JJ., not participating.

2023-0267. State ex rel. Kolvek v. Oldfield.

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

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

Stewart, J., would sua sponte dismiss the cause and deny the motion as moot.

2023-0269. State ex rel. Tingler v. Caligiuri.

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.

2023-0280. Emerson v. Exclusive Auto.

In Mandamus and Prohibition. Cause dismissed pursuant to S.Ct.Prac.R. 12.04.

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

2023-0289. Baksi v. Cuyahoga Cty.

Miscellaneous case. On respondent's motion to dismiss. Motion granted. Cause dismissed.

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

2023-0292. State ex rel. Barnette v. Mahoning Cty.

In Mandamus. Cause dismissed pursuant to S.Ct.Prac.R. 12.04. Relator's motion for default judgment denied as moot.

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

2023-0299. State ex rel. Tingler v. Wargo.

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.

2023-0300. State ex rel. Tingler v. Croucher.

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

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

2023-0363. Whitacre v. Belmont Cty. Sheriff.

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

2022-0914. State ex rel. WTOL Television, L.L.C. v. Cedar Fair, L.P.

In Mandamus. Sua sponte, parties directed to brief and submit evidence on whether the records requested by relators—assuming that the Public Records Act applies to respondents—are public records, whether the court should issue a writ of mandamus ordering their production, and whether the court should award statutory damages, court costs, and attorney fees. The briefs shall not readdress whether the Public Records Act applies to respondents. Respondents may submit documents they believe are privileged or constitute confidential law-enforcement investigatory records under seal for in camera inspection. Respondents shall file the records under seal within ten days, relators shall file a brief within 20 days, respondents shall file a brief within 20 days after the filing of relators' brief, and relators may file a reply brief within 7 days after the filing of respondents' brief.

2022-1388. Byrd v. Shuster.

In Mandamus. On relator's objection and request for findings. Objection and request denied.

APPEALS NOT ACCEPTED FOR REVIEW

2023-0368. State v. Christian.

Auglaize App. No. 2-21-14.

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