

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

May 31, 2023

[Cite as *05/31/2023 Case Announcements, 2023-Ohio-1769.*]

MERIT DECISIONS WITH OPINIONS

2022-0350. Disciplinary Counsel v. Purola, Slip Opinion No. 2023-Ohio-1768.

Board of Professional Conduct No. 2022-003. Albert Linden Purola, last known attorney-registration address in Willoughby, Ohio, Attorney Registration No. 0010275, suspended from the practice of law for six months.

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

MERIT DECISIONS WITHOUT OPINIONS

2022-1542. Dean v. Schooley.

In Mandamus. On respondents' motion to dismiss. Cause dismissed.

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

DeWine, J., concurs in part and dissents in part and would grant an alternative writ as to Exhibits E and H.

Brunner and Deters, JJ., dissent and would grant an alternative writ.

2023-0282. Clinton v. Franklin Cty. Court of Common Pleas.

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

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

2023-0309. State ex rel. Davis v. Eighth Dist. Court of Appeals.

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

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

2023-0316. Anderson v. Regel.

In Mandamus. On respondent's 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.

2023-0317. State ex rel. Keith v. Springdale Police Dept.

In Mandamus. On respondent's motion to dismiss. Motion denied. Relator's request for show-cause order denied. Sua sponte, cause dismissed.

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

2023-0329. State ex rel. Huber Hts. Veterans Club, Inc. v. Driscoll.

In Mandamus and Prohibition. On respondent's motion to dismiss. Motion granted. Relator's motion for sanctions denied. Respondent's motion for sanction granted. Respondent ordered to submit an itemized statement of attorney fees and costs within 20 days.

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

Kennedy, C.J., and Stewart, J., concur in part and dissent in part and would deny respondent's motion for sanctions.

2023-0330. State ex rel. Huber Hts. Veterans Club, Inc. v. Skelton.

In Mandamus and Prohibition. Sua sponte, cause dismissed.

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

2023-0331. Chapman v. Robert Half Internatl. & Accountemps.

Miscellaneous case. On respondents' motions to dismiss. Motions granted. Cause dismissed.

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

2023-0362. Emerson v. Newmark.

In Mandamus and Prohibition. On “federal notice of lack of subject-matter jurisdiction and pattern of vexatious litigation.” Motion to dismiss of respondents Craigslist, Inc., Craig Newmark, and William Powell granted. Sua sponte, cause dismissed as to remaining respondents. Cause dismissed.

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

2023-0384. State ex rel. Givens v. Adult Protective Servs.

In Mandamus and Prohibition. On motion to dismiss of respondents Adult Protective Services, Belmont County Department of Job and Family Services, Kevin Flanagan, and Brent A. Clyburn. Motion granted. Sua sponte, cause dismissed as to respondent Jeffrey T. Loeffler. Cause dismissed.

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

2023-0416. State ex rel. Allah-U-Akbar v. Schroeder.

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.

2023-0455. State ex rel. Davis v. Stucki.

In Mandamus and Prohibition. On relator’s emergency request for stay. Motion denied. Respondent’s motion to dismiss granted. Cause dismissed.

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

2023-0461. State ex rel. West v. Chambers-Smith.

In Mandamus. Sua sponte, cause dismissed.

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

Stewart, Brunner, and Deters, JJ., dissent and would grant an alternative writ.

2023-0462. Spikes v. Dinkelacker.

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.

2023-0488. State ex rel. Adkins v. Fayette Cty. Sheriff's Dept.

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

2022-0420. Bennett v. Barnes.

In Mandamus. On relator Taneshe M. Bennett's emergency motion for expedited relief from judgment. Motion denied. Respondents' motion to strike and dismiss relator's emergency motion denied.

2022-1148. State ex rel. Adams v. Cleveland.

In Mandamus. On relator's amended motion for sanctions. Motion denied. Respondents' motion to strike relator's motion for sanctions and amended motion for sanctions denied.

2022-1595. In re Guardianship of Pond.

Delaware App. No. 22 CAF 06 0045, [2022-Ohio-4023](#). On appellant's motion to strike guardian's filings of February 15, 2023, and impose sanctions on the guardian. Motion denied.

2022-1648. State ex rel. Sanduskians for Sandusky v. Sandusky.

In Prohibition. On respondents' motion for sanctions. Motion denied.

DeWine, Stewart, and Deters, JJ., dissent.

2023-0101. State ex rel. Ware v. Pierce.

In Mandamus. On amended application for default judgment. Amended application 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 and DeWine, JJ., concur in part and dissent in part and would sua sponte dismiss the cause.

2023-0303. Love v. Foley.

In Habeas Corpus. On petitioner's motion seeking consequences for not filing a brief. Motion denied.

2023-0402. State ex rel. Stokes v. Ohio Dept. of Rehab. & Corr.

Franklin App. No. 21AP-482, [2023-Ohio-468](#). On appellant's motion to stay proceedings. Motion denied.

2023-0407. State ex rel. Wells v. Miday.

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.

2023-0576. State v. Wilson.

Muskingum App. No. CT2022-0042, [2023-Ohio-830](#). On appellant's motion for stay of lower-court decisions. Motion denied.

2023-0577. State ex rel. Hobbs v. Yurick.

Warren App. No. CA2023-02-019. On appellant's motion to stay case in abeyance. Motion denied.

APPEALS ACCEPTED FOR REVIEW

2023-0293. Berkheimer v. REKM, L.L.C.

Butler App. No. CA2022-03-026, [2023-Ohio-116](#).

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