

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

June 6, 2023

[Cite as *06/06/2023 Case Announcements, 2023-Ohio-1830.*]

MERIT DECISIONS WITHOUT OPINIONS

2023-0508. Frazier v. Cross.

In Habeas Corpus. Sua sponte, cause dismissed.

Kennedy, C.J., and DeWine, Donnelly, Stewart, and Brunner, JJ., concur.
Fischer and Deters, JJ., not participating.

2023-0536. Lask v. Watson.

In Habeas Corpus. Sua sponte, cause dismissed.

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

MOTION AND PROCEDURAL RULINGS

2019-1381. State v. Garrett.

Franklin C.P. No. 18CR168. On application for reopening under S.Ct.Prac.R. 11.06. Application denied.

Donnelly, J., dissents and would grant the application as to proposition of law No. III.

Stewart and Duhart, JJ., dissent.

Myron C. Duhart, J., of the Sixth District Court of Appeals, sitting for Brunner, J.

2023-0449. State v. Harrell.

Summit App. Nos. 30104 through 30109, [2022-Ohio-3217](#). On motion for leave to file delayed appeal. Motion denied.

2023-0452. State v. Veyon.

Muskingum App. No. CT2022-0062. On motion for leave to file delayed appeal. Motion denied.

Kennedy, C.J., and Brunner, J., dissent.

2023-0453. State v. Veyon.

Muskingum App. No. CT2022-0063. On motion for leave to file delayed appeal. Motion denied.

Kennedy, C.J., dissents.

2023-0530. State v. Huish.

Franklin App. No. 21AP-255, [2023-Ohio-365](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

Brunner and Deters, JJ., dissent.

APPEALS ACCEPTED FOR REVIEW

2023-0372. Kennedy v. W. Res. Senior Care.

Portage App. No. 2021-P-0055, [2023-Ohio-264](#). Appeal accepted on proposition of law Nos. I, III, and IV. Sua sponte, cause held for the decision in 2022-0407 and 2022-0424, *Everhart v. Coshocton Cty. Mem. Hosp.*

Kennedy, C.J., and Donnelly and Stewart, JJ., would accept the appeal on all propositions of law.

DeWine, J., would accept the appeal on proposition of law Nos. I and III only.

Brunner, J., would accept the appeal on proposition of law No. I only.

2023-0376. Jones v. Kent City School Dist. Bd. of Edn.

Portage App. No. 2021-P-0094, [2023-Ohio-265](#).

Donnelly and Brunner, JJ., dissent.

2023-0411. Tera, L.L.C. v. Rice Drilling D, L.L.C.

Belmont App. No. 21 BE 0047, [2023-Ohio-427](#). Appeal accepted on proposition of law Nos. I and II.

Kennedy, C.J., and DeWine and Stewart, JJ., would also accept the appeal on proposition of law No. III.

Fischer and Brunner, JJ., would accept the appeal on proposition of law No. II only.

Donnelly, J., dissents.

2023-0434. State v. Allen.

Cuyahoga App. No. 111576, [2023-Ohio-527](#). Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

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

APPEALS NOT ACCEPTED FOR REVIEW

2023-0039. State v. Jarmon.

Butler App. No. CA2021-08-091, [2022-Ohio-2327](#).

2023-0246. Kent v. Lusane.

Portage App. No. 2022-P-0011, [2022-Ohio-4057](#).

2023-0381. Inskip v. Columbus Zoological Park Assn.

Delaware App. No. 22 CAE 05 0039, [2023-Ohio-288](#).

Brunner, J., dissents and would accept the appeal on proposition of law Nos. I and II.

2023-0382. State v. Justice.

Franklin App. No. 22AP-234, [2023-Ohio-435](#). Appellant's request to produce and file transcripts of proceedings, petition for order to produce and convey case records, and petition for leave to file an errata and an addition to memorandum in support of jurisdiction denied.

2023-0385. State v. Winegarner.

Cuyahoga App. No. 111201, [2023-Ohio-319](#).

2023-0389. State v. Baird.

Cuyahoga App. No. 111428, [2023-Ohio-303](#).

2023-0396. State v. Rose.

Ashtabula App. No. 2021-A-0015, [2022-Ohio-3197](#). Appellant's motion for acceptance of partially handwritten documents granted.

2023-0405. Russell v. Ohio Dept. of Rehab. & Corr.

Franklin App. No. 22AP-518, [2023-Ohio-497](#).

2023-0408. State v. Hill.

Cuyahoga App. No. 111554, [2023-Ohio-373](#).

Donnelly and Brunner, JJ., dissent.

2023-0409. Reister v. Gardner.

Butler App. No. CA2021-10-127, [2022-Ohio-4272](#).

2023-0410. Premier Dealer Servs., Inc. v. Olson.

Hamilton App. No. C-230026.

Stewart, J., dissents.

2023-0415. Wasmver Dev. Corp. v. Link.

Knox App. No. 23CA000003.

2023-0417. Hathaway Brown School v. Cummings.

Cuyahoga App. No. 111566, [2023-Ohio-374](#).

2023-0418. State v. Hoskin.

Cuyahoga App. Nos. 111119, 111120, and 111121, [2022-Ohio-3917](#).

Fischer, J., dissents.

2023-0420. State v. Howard.

Cuyahoga App. No. 111213, [2022-Ohio-2959](#).

2023-0432. Lankford v. Weller.

Pickaway App. No. 21CA19, [2023-Ohio-430](#).

2023-0433. In re Bil.I.

Franklin App. Nos. 22AP-127, 22AP-138, and 22AP-137, [2023-Ohio-434](#).

Brunner and Deters, JJ., dissent.

2023-0435. State v. Green.

Ross App. No. 21CA3760, [2023-Ohio-501](#).

2023-0440. State v. Madrigal.

Lucas App. Nos. L-22-1014 and L-22-1071, [2023-Ohio-488](#).

2023-0445. State v. Scott.

Hamilton App. No. C-230047.

Deters, J., not participating.

2023-0446. State v. Harris.

Hamilton App. No. C-220251, [2023-Ohio-506](#).

Deters, J., not participating.

2023-0477. State v. Banger.

Geauga App. No. 2015-G-0021, [2016-Ohio-4596](#).

2023-0479. State v. Marcum.

Montgomery App. No. 29300, [2022-Ohio-3576](#).

2023-0503. In re Estate of Stotz v. Stotz.

Sandusky App. No. S-22-014, [2023-Ohio-663](#).

Donnelly, J., dissents.

Brunner, J., dissents and would accept the appeal on proposition of law No. III.

2023-0509. Billman v. Meintel.

Pickaway App. No. 22CA10, [2023-Ohio-922](#).

2023-0512. State v. Gregory.

Lucas App. Nos. L-21-1106 and L-21-1107, [2023-Ohio-331](#).

RECONSIDERATION OF PRIOR DECISIONS

2022-0294. State v. Marshall.

Cuyahoga App. No. 109633, [2022-Ohio-2666](#). Reported at __ Ohio St.3d __, 2023-Ohio-999, __ N.E.3d __. On motion for reconsideration. Motion denied.

2022-0545. State ex rel. Bradford v. Bowen.

Mahoning App. No. 20 MA 0025. Reported at __ Ohio St.3d __, [2023-Ohio-1105](#), __ N.E.3d __. On motion for reconsideration. Motion denied. Appellant's motion to accelerate ruling on motion for reconsideration denied.

DeWine and Brunner, JJ., would deny the motion to accelerate as moot.

2023-0044. State v. Cunningham.

Portage App. No. 2021-P-0048, [2021-Ohio-4052](#). Reported at 169 Ohio St.3d 1474, 2023-Ohio-921, 205 N.E.3d 560. On motion for reconsideration. Motion denied.

2023-0045. State v. Cunningham.

Portage App. No. 2021-P-0047, [2021-Ohio-4051](#). Reported at 169 Ohio St.3d 1474, 2023-Ohio-921, 205 N.E.3d 560. On motion for reconsideration. Motion denied.

2023-0054. Pierre Invests., Inc. v. CLS Capital Group, Inc.

Lucas App. No. L-21-1229, [2022-Ohio-4311](#). Reported at 169 Ohio St.3d 1475, 2023-Ohio-921, 205 N.E.3d 561. On motion for reconsideration. Motion denied.

2023-0072. Alessio v. United Airlines, Inc.

Cuyahoga App. No. 111449, [2022-Ohio-4510](#). Reported at 169 Ohio St.3d 1490, 2023-Ohio-1149, 206 N.E.3d 745. On motion for reconsideration. Motion denied.