

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

June 20, 2023

[Cite as *06/20/2023 Case Announcements, 2023-Ohio-1979.*]

MERIT DECISIONS WITHOUT OPINIONS

2023-0596. Jones v. May.

In Habeas Corpus. Sua sponte, cause dismissed.

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

MOTION AND PROCEDURAL RULINGS

2023-0521. State v. Pettiford.

Muskingum App. No. CT2022-0037, [2023-Ohio-236](#). On motion for leave to file delayed appeal. Motion denied.

Fischer, Donnelly, and Stewart, JJ., dissent.

2023-0526. State v. White.

Franklin App. No. 17AP-538, [2017-Ohio-8750](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

DeWine and Donnelly, JJ., dissent.

Brunner, J., not participating.

2023-0528. State v. Cox.

Cuyahoga App. Nos. 111636, 111640, and 111651, [2023-Ohio-377](#). 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.

2023-0548. State v. Brown.

Montgomery App. No. 29553, [2023-Ohio-645](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

DeWine and Brunner, JJ., dissent.

2023-0659. State v. Kovach.

Geauga App. No. 2022-G-0027, [2023-Ohio-1085](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days. Appellant's motion to expedite the decision on the motion for leave to file delayed appeal denied.

Donnelly and Stewart, JJ., concur but would grant the motion to expedite the decision on the motion for leave to file delayed appeal.

Kennedy, C.J., and DeWine, J., dissent and would deny the motion for leave to file delayed appeal.

APPEALS ACCEPTED FOR REVIEW

2023-0393. State v. Dudas.

Cuyahoga App. No. 111875, [2023-Ohio-535](#).

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

2023-0457. State v. Dotson.

Cuyahoga App. No. 111719, [2023-Ohio-533](#). Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

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

APPEALS NOT ACCEPTED FOR REVIEW

2023-0086. State v. Jemison.

Warren App. No. CA2022-03-009, [2022-Ohio-3597](#).

2023-0430. State v. Shamansky.

Wyandot App. No. 16-22-05, [2023-Ohio-405](#).

Brunner, J., dissents.

2023-0436. Cook v. Richard T. Kiko Agency, Inc.

Mahoning App. No. 22 MA 0024, [2023-Ohio-552](#).

Fischer and Brunner, JJ., dissent.

2023-0437. Ruben v. Ruben.

Franklin App. No. 20AP-491.

2023-0438. Cleveland v. Martin.

Cuyahoga App. No. 111495, [2023-Ohio-448](#).

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

2023-0441. Weiler v. TechniPower, Inc.

Cuyahoga App. No. 111729, [2023-Ohio-465](#).

2023-0448. Hellmuth v. Meehan.

Butler App. No. CA2023-02-015.

2023-0450. State v. Payton.

Muskingum App. Nos. CT2022-0038 and CT2022-0039, [2023-Ohio-504](#).

2023-0451. In re Contempt of S.R.

Cuyahoga App. No. 111701, [2023-Ohio-531](#).

2023-0454. State v. Rivkind.

Portage App. No. 2023-P-0004, [2023-Ohio-514](#).

2023-0456. Huron v. McCune.

Erie App. No. E-22-027, [2023-Ohio-575](#).

2023-0458. Coon v. OhioHealth Corp.

Marion App. No. 9-22-041.

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

2023-0463. State v. Kyles.

Butler App. Nos. CA2021-11-141 and CA2021-11-142, [2023-Ohio-489](#).

2023-0466. State v. Jarrett.

Cuyahoga App. No. 111659, [2023-Ohio-811](#).

2023-0467. State v. Jefferson.

Richland App. No. 2021 CA 0081, [2022-Ohio-3448](#).

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

2023-0476. State v. Tubbs.

Miami App. No. 2015-CA-14, [2016-Ohio-842](#).

2023-0485. Tipton v. Ohio Dept. of Rehab. & Corr.

Franklin App. No. 23AP-123.

2023-0491. State v. Brand.

Butler App. No. CA2021-08-093, [2023-Ohio-557](#).

2023-0518. State v. Foster.

Scioto App. No. 21CA3967, [2023-Ohio-746](#).

Kennedy, C.J., dissents.

2023-0525. State v. Parker.

Cuyahoga App. No. 110563, [2023-Ohio-802](#).

2023-0541. Baronzzi v. Gamble.

Columbiana App. No. 2021 CO 32, [2023-Ohio-894](#).

2023-0551. State v. McDougald.

Scioto App. No. 21-CA-3961, [2022-Ohio-3191](#).

2023-0555. State v. Jewett.

Scioto App. No. 22CA4004, [2023-Ohio-969](#).

2023-0569. State v. Adams.

Cuyahoga App. No. 111637, [2023-Ohio-809](#).

Donnelly, J., dissents.

2023-0581. State v. Bell.

Hamilton App. No. C-210494, [2023-Ohio-1010](#).

Deters, J., not participating.

2023-0595. State v. Bridges.

Cuyahoga App. No. 111833, [2023-Ohio-1048](#). Appellant’s motion for stay of court of appeals’ judgment and “motion for stay not for delay or to prejudice any party” denied.

Kennedy, C.J., would deny the motions as moot.

2023-0601. In re A.W.

Summit App. No. 30486, [2023-Ohio-1268](#). Appellant’s motion for stay denied.

2023-0602. Cincinnati v. Triton Servs., Inc.

Hamilton App. No. C-210475, [2022-Ohio-3832](#).

2023-0605. State v. Hill.

Cuyahoga App. No. 108250, [2020-Ohio-102](#).

RECONSIDERATION OF PRIOR DECISIONS

2022-1030. State ex rel. Jones v. Hamilton Cty.

In Mandamus and Prohibition. Reported at 169 Ohio St.3d 1494, 2023-Ohio-1242, 207 N.E.3d 822. On motion for reconsideration. Motion denied.

Fischer and Deters, JJ., not participating.

2022-1598. Lipin v. Wisehart.

Preble App. No. CA2022-09-017. Reported at 169 Ohio St.3d 1501, 2023-Ohio-1326, 207 N.E.3d 834. On amended motion for reconsideration. Motion denied.

2022-1603. Lipin v. Wisehart.

Preble App. No. CA2022-11-018. Reported at 169 Ohio St.3d 1501, 2023-Ohio-1326, 207 N.E.3d 845. On motion for reconsideration. Motion denied.

2023-0063. State v. Benedict.

Crawford App. No. 3-21-08, [2022-Ohio-3600](#). Reported at 169 Ohio St.3d 1489, 2023-Ohio-1149, 206 N.E.3d 745. On motion for reconsideration. Motion denied.

Donnelly, J., dissents.

2023-0079. Lipin v. Wisehart.

Preble App. No. CA2022-12-022. Reported at 169 Ohio St.3d 1501, 2023-Ohio-1326, 207 N.E.3d 846. On motion for reconsideration. Motion denied.

2023-0097. Robinson v. Lorain Cty. Printing & Publishing Co.

Lorain App. No. 21CA011711, [2023-Ohio-3](#). Reported at 169 Ohio St.3d 1490, 2023-Ohio-1149, 206 N.E.3d 740. On motion for reconsideration. Motion denied. Appellants' complaint against Chief Justice Kennedy, public-records request, and motion for default judgment denied.

2023-0213. State v. Grad.

Medina App. No. 22CA0011-M, [2022-Ohio-4221](#). Reported at 169 Ohio St.3d 1491, 2023-Ohio-1149, 206 N.E.3d 744. On motion for reconsideration. Motion granted as to proposition of law Nos. I and II. The case shall proceed in accordance with the Rules of Practice of the Supreme Court of Ohio.

Donnelly and Brunner, JJ., would grant the motion as to all propositions of law.

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