

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

January 31, 2023

[Cite as *01/31/2023 Case Announcements, 2023-Ohio-212.*]

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## MERIT DECISIONS WITHOUT OPINIONS

**2022-1549. Higgins v. Black.**

In Habeas Corpus. Sua sponte, cause dismissed.

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

**2022-1553. Johnson v. Watson.**

In Habeas Corpus. Petitioner’s “motion of affidavit,” “motion of prior actions,” “motion of notice of appeal,” “motion of prior actions,” and motion for bail and suspension denied. Sua sponte, cause dismissed.

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

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

**2022-1593. State v. Dameh.**

In Habeas Corpus. Sua sponte, cause dismissed.

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

**2022-1635. State v. Dameh.**

In Habeas Corpus. Sua sponte, cause dismissed.

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

## MOTION AND PROCEDURAL RULINGS

### **2022-1465. State v. Villafranco.**

Clinton App. No. CA2021-09-029, [2022-Ohio-2826](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

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

### **2022-1474. State v. McConnell.**

Muskingum App. No. CT 2021-0063, [2022-Ohio-2902](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

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

### **2022-1498. State v. Payne.**

Summit App. No. 30275. On motion for leave to file delayed appeal. Motion denied. Appellant's motion for remand denied.

Kennedy, C.J., would deny the motion for remand as moot.

## APPEALS ACCEPTED FOR REVIEW

### **2022-1380. State v. Thomason.**

Allen App. No. 1-22-33, [2022-Ohio-3873](#). Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

### **2022-1391. Ludlow v. Ohio Dept. of Health.**

Franklin App. No. 21AP-369, [2022-Ohio-3399](#).

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

### **2022-1399. State v. Washington.**

Miami App. No. 2020-CA-18, [2022-Ohio-1426](#). Appeal accepted on proposition of law No. I. 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 Donnelly, JJ., dissent.

### **2022-1404. Epcon Community Franchising, L.L.C. v. Wilcox Dev. Group, L.L.C.**

Franklin App. No. 21AP-674, [2022-Ohio-3442](#).

**2022-1429. State v. Brown.**

Allen App. No. 1-22-36, [2022-Ohio-4065](#). Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

**2022-1430. State v. Day.**

Allen App. No. 1-22-32, [2022-Ohio-4064](#). Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

**2022-1445. State v. Allen.**

Allen App. No. 1-21-59, [2022-Ohio-3599](#). Appeal accepted on proposition of law No. III. 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 Donnelly, JJ., dissent.

**2022-1446. Ramos v. Fresh Mark Canton.**

Stark App. No. 2021 CA 00076, [2022-Ohio-3642](#).

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

**2022-1455. State v. Bryant.**

Cuyahoga App. Nos. 111206 and 111522, [2022-Ohio-3669](#). Appeal accepted on proposition of law Nos. II through V. Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

Kennedy, C.J., would accept the appeal on all propositions of law.

**2022-1456. State v. Eggleton.**

Cuyahoga App. No. 111244, [2022-Ohio-3671](#). Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

**2022-1500. State v. Heath.**

Hamilton App. No. C-200387. Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

Fischer and Deters, JJ., not participating.

**2022-1508. State v. Stevens.**

Lake App. No. 2021-L-105, [2022-Ohio-3781](#). Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

**2022-1550. State v. Woods.**

Lake App. No. 2021-L-044, [2022-Ohio-3970](#). Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

## APPEALS NOT ACCEPTED FOR REVIEW

**2022-1272. State v. Ahmed.**

Belmont App. No. 22 BE 0021.

**2022-1378. State v. Struckman.**

Hamilton App. No. C-210640, [2022-Ohio-2848](#).

Fischer and Deters, JJ., not participating.

**2022-1385. State v. Cutlip.**

Belmont App. No. 21 BE 0032, [2022-Ohio-3524](#).

**2022-1392. Nikooyi v. Nikooyi.**

Cuyahoga App. No. 111392, [2022-Ohio-3239](#).

**2022-1394. State v. Woodson.**

Cuyahoga App. No. 112052.

**2022-1396. Steuer Revocable Trust v. Strauss.**

Lake App. No. 2021-L-118, [2022-Ohio-3484](#).

**2022-1397. State v. Matheny.**

Licking App. No. 21CA0088, [2022-Ohio-3447](#).

**2022-1403. State v. Thomas.**

Hamilton App. No. C-210659.

Fischer and Deters, JJ., not participating.

**2022-1405. State v. Cunningham.**

Lucas App. No. L-21-1136, [2022-Ohio-3497](#).

**2022-1406. Keller v. Carroll Cty. Bd. of Commrs.**

Carroll App. No. 21 CA 0952, [2022-Ohio-3526](#).

**2022-1408. Pond v. Pond.**

Franklin App. No. 21AP-392, [2022-Ohio-3561](#).

**2022-1412. State v. Weimert.**

Morgan App. No. 22AP0004, [2022-Ohio-3416](#).

**2022-1417. State v. Scott.**

Cuyahoga App. No. 111212, [2022-Ohio-3549](#).

**2022-1418. Hogue v. Whitacre.**

Monroe App. No. 20 MO 0011, [2022-Ohio-3616](#).

Kennedy, C.J., dissents.

Fischer, J., dissents and would accept the appeal on proposition of law Nos. I and III.

**2022-1423. Helfrich v. Foor Family Invests., L.L.C.**

Licking App. No. 2021 CA 00070, [2022-Ohio-3446](#).

**2022-1425. State v. Thornton.**

Hamilton App. Nos. C-210629 through C-210632, [2022-Ohio-3452](#).

Brunner, J., dissents.

**2022-1427. State v. Casey.**

Clinton App. No. CA2022-03-007, [2022-Ohio-3100](#).

**2022-1433. Ferrell v. Ohio State Univ. Med. Ctr.**

Franklin App. No. 21AP-278, [2022-Ohio-2937](#).

Brunner, J., dissents.

**2022-1435. Ricksecker v. Ricksecker.**

Ashland App. No. 22-COA-004, [2022-Ohio-3564](#).

**2022-1439. State v. Feagin.**

Richland App. No. 2021-CA-0084, [2022-Ohio-3641](#).

**2022-1442. State v. Cleavenger.**

Summit App. No. 29519, [2022-Ohio-2942](#).

Deters, J., dissents.

**2022-1448. State v. Thomas.**

Scioto App. No. 22CA3994.

Brunner and Deters, JJ., dissent and would accept the appeal on proposition of law No. I.

**2022-1460. State v. Johnson.**

Richland App. No. 21CA62, [2022-Ohio-3051](#).

Brunner, J., dissents.

**2022-1477. State v. Solorio.**

Hamilton App. No. C-210526, [2022-Ohio-3749](#).

DeWine and Deters, JJ., not participating.

**2022-1480. State v. Redmond.**

Cuyahoga App. No. 111138, [2022-Ohio-3734](#).

**2022-1483. In re Trust of Tary v. Seiple.**

Lucas App. No. L-21-1256, [2022-Ohio-3773](#).

**2022-1487. In re J.R.**

Coshocton App. No. 2022CA0005, [2022-Ohio-3721](#).

**2022-1488. In re R.R.**

Coshocton App. No. 2022CA0006, [2022-Ohio-3722](#).

**2022-1489. In re F.A.**

Coshocton App. No. 2022CA0007, [2022-Ohio-3723](#).

**2022-1509. State v. Marshall.**

Franklin App. No. 20AP-394, [2022-Ohio-3795](#).