

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

July 5, 2023

[Cite as *07/05/2023 Case Announcements, 2023-Ohio-2236.*]

MERIT DECISIONS WITHOUT OPINIONS

2023-0399. State v. Long-Williams.

In Habeas Corpus. Sua sponte, cause dismissed. Petitioner's amended motion for leave denied.

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

2023-0627. Townsend v. Foley.

In Habeas Corpus. Sua sponte, cause dismissed.

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

2023-0666. State ex rel. Nixon v. Forshey.

In Habeas Corpus. Sua sponte, cause dismissed.

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

2023-0669. White v. Foley.

In Habeas Corpus. Sua sponte, cause dismissed.

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

2023-0671. Ricks v. Mackey.

In Habeas Corpus. Sua sponte, cause dismissed.

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

2023-0673. State ex rel. McGee v. Forshey.

In Habeas Corpus. Sua sponte, cause dismissed.

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

2023-0675. State ex rel. Scott v. Shoop.

In Habeas Corpus. Sua sponte, cause dismissed.

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

MOTIONS AND PROCEDURAL RULINGS

2023-0579. State v. McBride.

Hamilton App. No. C-200443, [2023-Ohio-16](#). On motion for leave to file delayed appeal. Motion fails for want of four votes.

Kennedy, C.J., and Donnelly and Stewart, JJ., would grant the motion.
Deters, J., not participating.

2023-0598. State v. Rydarowicz.

Mahoning App. No. 21 MA 0087, [2023-Ohio-916](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

DeWine and Deters, JJ., dissent.

2023-0635. State v. Wilson.

Montgomery App. No. 29349, [2023-Ohio-27](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

Fischer, DeWine, and Deters, JJ., dissent.

2023-0640. State v. Obhof.

Ashtabula App. No. 2021-A-0021, [2023-Ohio-408](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

DeWine and Deters, JJ., dissent.

APPEALS ACCEPTED FOR REVIEW

2023-0533. State v. Rice.

Wood App. No. WD-22-022, [2023-Ohio-743](#). Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

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

2023-0537. State v. Barker.

Cuyahoga App. No. 111597, [2023-Ohio-453](#). Appeal accepted on proposition of law No. VIII. Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

Fischer, J., dissents.

2023-0539. State v. Macklin.

Cuyahoga App. No. 111117, [2022-Ohio-4400](#).

Fischer, Donnelly, and Deters, JJ., would hold the case for the decisions in 2022-1053, *State v. Williams*, and 2022-1069, *State v. Taylor*.

Stewart and Brunner, JJ., dissent.

2023-0570. State v. Bell.

Cuyahoga App. No. 111899, [2023-Ohio-822](#). Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

2023-0621. State v. Hale.

Licking App. No. 2022 CA 00043, [2023-Ohio-1057](#).

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

APPEALS NOT ACCEPTED FOR REVIEW

2023-0093. State v. Johnson.

Stark App. No. 2021 CA 00116, [2022-Ohio-4344](#).

2023-0192. State v. Ramilla.

Greene App. No. 2022-CA-35, [2022-Ohio-4318](#).

2023-0302. State v. Boyd.

Mahoning App. No. 20 MA 0131, [2023-Ohio-271](#).

2023-0486. Lehman v. Starner.

Washington App. No. 23CA1.

2023-0489. State v. Ludwick.

Highland App. No. 22CA9, [2023-Ohio-1446](#).

2023-0492. Armatas v. Plain Twp.

Stark App. No. 2022 CA 00039, [2023-Ohio-204](#).

Kennedy, C.J., dissents.

2023-0496. Smith v. Javitch Block, L.L.C.

Cuyahoga App. No. 111532, [2023-Ohio-607](#).

2023-0505. State v. Allen.

Huron App. No. H-23-003.

2023-0506. State v. Davison.

Richland App. No. 2022 CA 0047, [2023-Ohio-599](#).

2023-0507. State v. Cutlip.

Belmont App. No. 21 BE 0032, [2023-Ohio-914](#).

2023-0510. State v. Mayle.

Muskingum App. No. CT2022-0034, [2023-Ohio-684](#).

2023-0511. State v. Smith.

Muskingum App. No. CT2022-0041, [2023-Ohio-598](#).

2023-0516. Monroe v. Troy Strawberry Festival, Inc.

Miami App. No. 2022-CA-23, [2023-Ohio-650](#).

2023-0517. State v. Fry.

Cuyahoga App. No. 111545, [2023-Ohio-609](#).

Donnelly, J., dissents.

2023-0523. State v. Dalton.

Belmont App. No. 22 BE 0028, [2023-Ohio-892](#).

2023-0524. State v. Brado.

Belmont App. No. 21 BE 0039, [2023-Ohio-1119](#).

2023-0531. State ex rel. Betton v. Burgess & Niple, Inc.

Erie App. Nos. E-22-001 and E-22-002, [2023-Ohio-740](#).

2023-0532. Grim v. Cleveland Clinic Found.

Cuyahoga App. No. 111516, [2023-Ohio-713](#).

2023-0535. State v. Tubbs.

Miami App. No. 2012-CA-20, [2013-Ohio-4391](#).

2023-0538. State v. Mitchell.

Hamilton App. No. C-210623, [2023-Ohio-724](#).

Deters, J., not participating.

2023-0540. Cleveland Internatl. Fund Med. Mart v. Optima 777, L.L.C.

Cuyahoga App. No. 111616, [2023-Ohio-715](#).

Donnelly, J., not participating.

2023-0544. State v. Hayes.

Muskingum App. No. CT2022-0021, [2023-Ohio-1008](#).

2023-0545. RSS WFCM2019-C50-OH WG2, L.L.C. v. Welcome Group 2, L.L.C.

Montgomery App. No. 29655.

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

2023-0546. State v. Dahlberg.

Ashtabula App. No. 2022-A-0063, [2023-Ohio-987](#).

2023-0553. State v. Brown.

Preble App. No. CA2022-02-003, [2023-Ohio-258](#).

2023-0567. State v. Leigh.

Montgomery App. No. 28821, [2023-Ohio-91](#).

2023-0568. In re M.D.

Hamilton App. Nos. C-220052 through C-220056, [2023-Ohio-845](#).

Stewart, J., dissents and would accept the appeal on proposition of law No. I.
Deters, J., not participating.

2023-0571. State v. Prather.

Hamilton App. No. C-210585, [2023-Ohio-784](#).

Deters, J., not participating.

2023-0587. Shteivi v. Shteivi.

Butler App. No. CA2021-11-143, [2023-Ohio-873](#).

2023-0607. State v. Stanford.

Hamilton App. No. C-220138, [2023-Ohio-1011](#).

Brunner, J., dissents.
Deters, J., not participating.

2023-0613. State v. Brownlee.

Lake App. No. 2022-L-075, [2023-Ohio-1090](#).

2023-0624. Poland v. Ohio Parole Bd.

Richland App. No. 22 CA 0065, [2023-Ohio-694](#).

2023-0633. State v. Bradshaw.

Hamilton App. No. C-930654.

Deters, J., not participating.

2023-0634. State v. Mills.

Erie App. No. E-22-026, [2023-Ohio-1094](#).

2023-0644. State v. Stewart.

Franklin App. No. 22AP-531, [2023-Ohio-1150](#).

Donnelly, J., dissents.
Brunner, J., not participating.

2023-0667. State v. Bridgewater.

Franklin App. No. 22AP-417, [2023-Ohio-1211](#).

RECONSIDERATION OF PRIOR DECISIONS

2022-0617. State ex rel. Adkins v. Cantrell.

In Mandamus. Reported at __ Ohio St.3d __, 2023-Ohio-1323, __ N.E.3d __. On motion for reconsideration. Motion denied.

2023-0228. State ex rel. Hillman v. Klatt.

In Mandamus and Prohibition. Reported at 170 Ohio St.3d 1408, 2023-Ohio-1444, 208 N.E.3d 832. On motion for reconsideration. Motion denied. Relator's motion in opposition to respondent's request that this court dismiss this case denied. Relator's request for judicial notice denied.

Deters, J., would deny relator's motion in opposition and request as moot.