

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

August 15, 2023

[Cite as *08/15/2023 Case Announcements, 2023-Ohio-2771.*]

MERIT DECISIONS WITHOUT OPINIONS

2023-0423. Brown-Bey v. Reis.

In Mandamus. On motion to dismiss of respondents Mark Petrucci, Jeffery M. Brown, and Edwin Skeens. Motion granted. Relator's motions to strike documents filed April 26, 27, and 28 and May 5 and 22, 2023, denied as moot. Respondent Allen Reis's motion to strike relator's complaint and/or the return of service as to Reis denied as moot. Sua sponte, cause dismissed as to respondent Allen Reis. Cause dismissed.

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

Kennedy, C.J., concurs but would deny relator's May 22 motion on the merits.

Donnelly and Stewart, JJ., concur but would deny the motions to strike on the merits.

MOTION AND PROCEDURAL RULINGS

2023-0789. State v. Seals.

Muskingum App. No. CT2022-0045, [2023-Ohio-1261](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

2023-0803. State v. Perez.

Cuyahoga App. No. 111296, [2023-Ohio-83](#). On motion for leave to file delayed appeal. Motion denied.

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

2023-0820. State v. Carbaugh.

Muskingum App. No. CT2022-0050, [2023-Ohio-1269](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

DeWine, Brunner, and Deters, JJ., dissent.

2023-0824. State v. Morckel.

Columbiana App. No. 22 CO 0024, [2023-Ohio-1473](#). 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.

APPEALS NOT ACCEPTED FOR REVIEW

2023-0340. State v. Twiley.

Jefferson App. No. 21 JE 0007, [2022-Ohio-4751](#).

2023-0528. State v. Cox.

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

2023-0543. State v. Jones.

Cuyahoga App. No. 110742, [2023-Ohio-380](#). Appeal and cross-appeal denied.

Kennedy, C.J., would accept the cross-appeal.

Stewart, J., would accept the appeal.

2023-0680. Farris v. Mill Creek Metro. Park Dist.

Mahoning App. No. 22MA00008, [2023-Ohio-1214](#).

2023-0681. Wright State Univ. v. Wright State Univ. Chapter of the Am. Assn. of Univ. Professors.

Greene App. No. 2022-CA-54, [2023-Ohio-1238](#).

2023-0685. Johnson v. Toledo Bd. of Edn.

Lucas App. No. L-22-1094, [2023-Ohio-1306](#).

2023-0688. State v. Barron.

Warren App. No. CA2022-09-059, [2023-Ohio-1249](#).

2023-0694. Burks v. Dayton Pub. Schools Bd. of Edn.

Montgomery App. No. 29583, [2023-Ohio-1227](#).

2023-0695. State ex rel. Ames v. Geauga Cty. Bd. of Revision.

Gauga App. No. 2022-G-0021, [2023-Ohio-1247](#).

Donnelly, J., dissents.

2023-0696. State v. Hughkeith.

Cuyahoga App. No. 111647, [2023-Ohio-1217](#).

Stewart, J., dissents and would accept the appeal on proposition of law Nos. V and VI and hold the cause for the decision in 2022-1037, *State v. Hurt*.

2023-0697. State v. Lauck.

Hancock App. No. 5-22-07, [2023-Ohio-1433](#).

2023-0698. In re E.G.

Muskingum App. No. CT2022-0058, [2023-Ohio-1277](#).

2023-0701. State v. Tornstrom.

Portage App. No. 2022-P-0025, [2023-Ohio-763](#).

2023-0703. State v. Rice.

Hamilton App. No. C-150191, [2015-Ohio-5481](#).

2023-0715. Frank v. Univ. of Cincinnati Med. Ctr.

Hamilton App. No. C-220242, [2023-Ohio-1255](#).

2023-0718. State v. Sisson.

Richland App. No. 2022 CA 0024, [2023-Ohio-1273](#).

2023-0721. Holly v. Greater Cleveland Regional Transit Auth.

Cuyahoga App. No. 111214, [2022-Ohio-3236](#).

2023-0730. Total Quality Logistics, L.L.C. v. Johnson.

Clermont App. No. CA2022-09-049, [2023-Ohio-1319](#).

Stewart, J., dissents.

2023-0752. Halpern v. Smith.
Cuyahoga App. No. 111896, [2023-Ohio-1370](#).

2023-0775. State v. Jones.
Cuyahoga App. No. 111991, [2023-Ohio-1482](#).

2023-0781. State v. Bender.
Union App. No. 14-22-23, [2023-Ohio-1531](#).

2023-0784. Tentman v. Barbarette.
Hamilton App. No. C-220391.

2023-0807. State v. Hutsepiller.
Trumbull App. No. 2022-T-0087, [2023-Ohio-1540](#).

2023-0817. State v. McCloud.
Lorain App. No. 22CA011873.

2023-0818. State v. Barker.
Hamilton App. No. C-230173.
Fischer and DeWine, JJ., not participating.

2023-0835. State v. Flenner.
Trumbull App. No. 2022-T-0003, [2022-Ohio-2831](#).

2023-0837. State v. Flenner.
Trumbull App. No. 2017-T-0054, [2018-Ohio-1027](#).

2023-0842. Scott v. Ohio Dept. of Rehab. & Corr.
Franklin App. No. 22AP-387, [2023-Ohio-1647](#).

RECONSIDERATION OF PRIOR DECISIONS

2023-0415. Wasmver Dev. Corp. v. Link.
Knox App. No. 23CA000003. Reported at 170 Ohio St.3d 1442, [2023-Ohio-1830](#), 210 N.E.3d 549. On motion for reconsideration. Motion denied.

2023-0476. State v. Tubbs.

Miami App. No. 2015-CA-14, [2016-Ohio-842](#). Reported at 170 Ohio St.3d 1450, 2023-Ohio-1979, 211 N.E.3d 131. On motion for reconsideration. Motion denied.

2023-0491. State v. Brand.

Butler App. No. CA2021-08-093, [2023-Ohio-557](#). Reported at 170 Ohio St.3d 1450, 2023-Ohio-1979, 211 N.E.3d 134. On motion for reconsideration. Motion denied.