

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

October 10, 2023

[Cite as *10/10/2023 Case Announcements, 2023-Ohio-3670.*]

MERIT DECISIONS WITHOUT OPINIONS

2023-1054. Beightler v. Hunsinger-Stuff.

In Habeas Corpus. Sua sponte, cause dismissed.

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

2023-1061. Durham v. McGuffey.

In Habeas Corpus. Sua sponte, cause dismissed.

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

Deters, J., not participating.

2023-1068. Garrett v. McGuffey.

In Habeas Corpus. Sua sponte, cause dismissed.

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

Deters, J., not participating.

MOTION AND PROCEDURAL RULINGS

2023-0990. State v. Jones.

Greene App. Nos. 2022-CA-47 and 2022-CA-48, [2023-Ohio-1512](#). 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.

2023-1005. State v. Lewis.

Delaware App. No. 21 CAA 03 0017, [2022-Ohio-1850](#). On motion for leave to file delayed appeal. Motion denied.

2023-1034. State v. Chester.

Portage App. No. 2022-P-0060, [2023-Ohio-2122](#). 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.

2023-1037. State v. Williams.

Franklin App. No. 18AP-891, [2023-Ohio-1002](#). On motion for leave to file delayed appeal. Motion denied.

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

2023-1060. State v. Humphrey.

Montgomery App. Nos. 29479 and 29480, [2023-Ohio-1834](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

2023-1073. State v. O.E.P.-T.

Franklin App. No. 21AP-500, [2023-Ohio-2035](#). 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

2023-1024. State v. Echols.

Hamilton App. No. C-220133, [2023-Ohio-2206](#).

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

Carol Ann Robb, J., of the Seventh District Court of Appeals, sitting for Deters, J.

APPEALS NOT ACCEPTED FOR REVIEW

2023-0674. State v. Wilson.

Licking App. No. 22 CA 00024, [2023-Ohio-419](#).

Donnelly, J., dissents and would appoint counsel.

2023-0906. State v. Sears.

Ottawa App. No. OT-22-048, [2023-Ohio-1925](#).

Fischer and DeWine, JJ., dissent.

2023-0908. Dougherty v. Abarta Oil & Gas Co., Inc.

Guernsey App. No. 22CA000019, [2023-Ohio-1279](#).

Kennedy, C.J., dissents.

2023-0909. Ellison v. K 2 Motors, L.L.C.

Franklin App. No. 22AP-529, [2023-Ohio-1871](#).

2023-0913. Pierce v. Workman.

Auglaize App. No. 2-22-21, [2023-Ohio-2022](#). Appellee's motion to designate appellant a vexatious litigator granted. Appellant, Timothy Workman, found to be a vexatious litigator under S.Ct.Prac.R. 4.03(B). Accordingly, Timothy Workman prohibited from continuing or instituting legal proceedings in this court without first obtaining leave. Any request for leave shall be submitted to the clerk of this court for the court's review.

Kennedy, C.J., and Brunner, J., would deny the motion.

2023-0916. Smith & Condeni, L.L.P. v. Condeni.

Cuyahoga App. No. 111903, [2023-Ohio-1480](#).

2023-0928. State v. Helms.

Summit App. No. 30455, [2023-Ohio-1875](#).

2023-0929. State v. Smith.

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

Donnelly, J., dissents and would appoint counsel.

2023-0931. A.H. v. T.H.

Cuyahoga App. No. 111784, [2023-Ohio1969](#).

2023-0940. Austin v. Mid-Ohio Pipeline Servs., L.L.C.

Richland App. Nos. 2022 CA 0021, 2022 CA 0041, and 2022 CA 0060, [2023-Ohio-1958](#).

2023-0942. State v. McKnight.

Medina App. No. 22CA0027-M, [2023-Ohio-1933](#).

2023-0943. State v. Pitts.

Lucas App. Nos. L-22-1047 and L-22-1048, [2023-Ohio-2005](#).

2023-0944. Mullinix v. Mullinix.

Franklin App. No. 22AP-491, [2023-Ohio-1053](#).

2023-0947. Ryan v. Ryan.

Franklin App. No. 23AP-314.

2023-0948. Thompson v. Thompson.

Lorain App. No. 23CA011982.

2023-0955. Hudson v. Jones.

Richland App. No. 2022 CA 0066, [2023-Ohio-1447](#).

2023-1004. Varwig v. JA Doyle, L.L.C.

Lucas App. No. L-22-1035, [2023-Ohio-2251](#).

2023-1014. State v. Sharpe.

Mahoning App. No. 22 MA 0021, [2023-Ohio-2570](#).

2023-1015. State v. Cromwell.

Cuyahoga App. No. 111178, [2023-Ohio-2173](#).

2023-1038. King v. Budget Car Mart, L.L.C.
Summit App. No. 30293, [2023-Ohio-2756](#).

2023-1042. State v. Patterson.

Trumbull App. No. 2022-T-0092, [2023-Ohio-2350](#). Appellant's motion for judicial notice denied.

Brunner, J., concurs in part and dissents in part and would accept the appeal on proposition of law No. I.

2023-1047. State v. Walker.

Cuyahoga App. No. 112153, [2023-Ohio-2304](#).

Stewart, J., dissents.

2023-1052. State v. Nath.

Cuyahoga App. No. 112083, [2023-Ohio-2301](#).

2023-1064. Williams v. Ohio Dept. of Rehab. & Corr.

Franklin App. No. 23AP-389.

2023-1092. State v. Holler.

Wayne App. No. 22AP0016, [2023-Ohio-2528](#).

Donnelly and Brunner, JJ., dissent.

RECONSIDERATION OF PRIOR DECISIONS

2022-1518. State ex. rel. Sands v. Lake Cty. Common Pleas Court.

Marion App. No. 9-22-36. Reported at __ Ohio St.3d __, [2023-Ohio-2599](#), __ N.E.3d __. On motion for reconsideration. Motion denied.

2023-0423. Brown Bey v. Reis.

In Mandamus. Reported at __ Ohio St.3d __, [2023-Ohio-2771](#), __ N.E.3d __. On motion to set dismissal aside. Motion denied.

2023-0598. State v. Rydarowicz.

Mahoning App. No. 21 MA 0087. Reported at __ Ohio St.3d __, [2023-Ohio-2731](#), __ N.E.3d __. On appellant's "entry response." Motion denied.

DeWine and Brunner, JJ., dissent.

2023-0615. Hall v. Silver.

Summit App. No. 30587. Reported at 170 Ohio St.3d 1507, 2023-Ohio-2664, 213 N.E.3d 717. On motion for reconsideration. Motion denied. Appellant's motion to dismiss denied.

2023-0632. Taxiputinbay, L.L.C. v. Put-in-Bay.

Ottawa App. No. OT-22-020, [2023-Ohio-1237](#). Reported at 170 Ohio St.3d 1507, 2023-Ohio-2664, 213 N.E.3d 710. On motion for reconsideration. Motion denied. Kennedy, C.J., and Donnelly and Brunner, JJ., dissent.

2023-0719. State v. Alexander.

Allen App. No. 1-22-11, [2023-Ohio-123](#). Reported at 170 Ohio St.3d 1506, 2023-Ohio-2664, 213 N.E.3d 715. On motion for reconsideration. Motion denied. Kennedy, C.J., and Donnelly and Stewart, JJ., dissent.

2023-0760. Pottinger v. Ohio Dept. of Corr. & Rehab.

In Habeas Corpus. Reported at 170 Ohio St.3d 1506, 2023-Ohio-2664, 213 N.E.3d 713. On motion for reconsideration. Motion denied.