

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

December 12, 2023

[Cite as *12/12/2023 Case Announcements*, 2023-Ohio-4410.]

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## MERIT DECISIONS WITHOUT OPINIONS

**2023-1303. Weatherford v. Harris.**

In Habeas Corpus. Sua sponte, cause dismissed.

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

**2023-1319. Sudberry v. Stuff.**

In Habeas Corpus. Sua sponte, cause dismissed.

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

## MOTION AND PROCEDURAL RULINGS

**2023-1252. State v. Foster.**

Summit App. No. 30443, [2023-Ohio-2466](#). On motion for leave to file delayed appeal. Motion denied.

Donnelly, J., dissents.

**2023-1256. State v. Jones.**

Montgomery App. No. 29602, [2023-Ohio-1997](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

Fischer and DeWine, JJ., dissent.

**2023-1257. State v. Kinney.**

Monroe App. No. 22 MO 0002, [2023-Ohio-2549](#). 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.

**2023-1309. State v. Shields.**

Washington App. No. 22CA11, [2023-Ohio-2331](#). 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.

**APPEALS ACCEPTED FOR REVIEW**

**2023-1182. State v. Kyles.**

Cuyahoga App. No. 112202, [2023-Ohio-2691](#).

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

**2023-1204. State v. Wilcox.**

Hamilton App. No. C-220472, [2023-Ohio-2940](#).

Stewart and Brunner, JJ., dissent.

Deters, J., not participating.

**APPEALS NOT ACCEPTED FOR REVIEW**

**2023-0956. State v. Burton.**

Lucas App. No. L-22-1105, [2023-Ohio-1596](#).

**2023-0971. State v. Delgado.**

Cuyahoga App. No. 111992.

**2023-1157. Townsend v. AutoNation Wickliff.**

Cuyahoga App. No. 111993.

**2023-1158. State v. Shabazz.**

Cuyahoga App. No. 112140, [2023-Ohio-2775](#).

**2023-1160. Arnold v. Geneva.**

Ashtabula App. No. 2022-A-0119, [2023-Ohio-2643](#).

**2023-1164. State v. Carver.**

Highland App. No. 19CA17, [2023-Ohio-2839](#).

**2023-1165. State v. Taylor.**

Lawrence App. No. 21CA13, [2023-Ohio-2994](#).

**2023-1167. B&N Coal, Inc. v. Blue Racer Midstream, L.L.C.**

Noble App. No. 22 NO 0490, [2023-Ohio-2641](#).

**2023-1168. Mann v. Durrani.**

Hamilton App. Nos. C-220022 and C-220039, [2023-Ohio-2672](#).

Fischer and Deters, JJ., not participating.

**2023-1169. State v. Gilmore.**

Fulton App. No. F-23-005.

**2023-1175. State v. Blake.**

Columbiana App. No. 22 CO 0020, [2023-Ohio-2748](#).

**2023-1185. Crawford v. Bellevue Hosp.**

Erie App. No. E-22-039, [2023-Ohio-2709](#).

**2023-1190. State v. Rogers.**

Franklin App. No. 21AP-546, [2023-Ohio-2749](#).

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

**2023-1191. State v. Tucker.**

Clark App. No. 2022-CA-79, [2023-Ohio-2894](#).

**2023-1194. Mickens v. Berry Global, Inc.**

Portage App. No. 2022-P-0066, [2023-Ohio-885](#).

**2023-1195. State v. Smith.**

Ross App. No. 22CA21, [2023-Ohio-1504](#).

**2023-1196. Houchell v. Durrani.**

Hamilton App. No. C-220021, [2023-Ohio-2501](#).

Fischer and Deters, JJ., not participating.

**2023-1199. State v. Ramirez.**

Defiance App. No. 4-23-01.

**2023-1200. State v. Simpson.**

Allen App. No. 1-22-79, [2023-Ohio-3207](#).

Fischer, J., dissents and would accept the appeal on proposition of law No. II.

**2023-1202. State v. Jones.**

Franklin App. No. 22AP-626, [2023-Ohio-4145](#).

**2023-1205. Rohrer v. Moore.**

Licking App. No. 23CA00022.

**2023-1208. State v. Tetak.**

Muskingum App. No. CT2019-0052.

**2023-1209. State v. Graham.**

Portage App. No. 2022-P-0086, [2023-Ohio-2728](#).

Brunner, J., dissents.

**2023-1215. State v. Powell.**

Cuyahoga App. No. 111672, [2023-Ohio-2770](#).

**2023-1226. State v. Miller.**

Ashtabula App. No. 2022-A-0075, [2023-Ohio-2826](#).

**2023-1231. State v. Tutt.**

Preble App. Nos. CA2022-04-005 and CA2022-08-015, [2023-Ohio-2819](#).

**2023-1239. State v. Moore.**

Summit App. No. 29581, [2023-Ohio-2864](#).

**2023-1243. State v. Cooper.**

Stark App. No. 2022CA00091, [2023-Ohio-2897](#).

Donnelly, J., dissents.

**2023-1250. Woodgeard v. Hines.**

Hocking App. No. 22CA7, [2023-Ohio-2362](#).

**2023-1278. Loch v. Myers.**

Lucas App. No. L-22-1153, [2023-Ohio-2981](#).

**2023-1295. State v. Brand.**

Hamilton App. No. C-220602, [2023-Ohio-3321](#).

Fischer and Deters, JJ., not participating.

**2023-1314. State v. Hale.**

Butler App. Nos. CA2023-03-019 and CA2023-03-021, [2023-Ohio-3199](#).

**2023-1316. State v. Chamblin.**

Hamilton App. No. C-220488, [2023-Ohio-3129](#).

Deters, J., not participating.

**2023-1329. Jones v. Soto.**

Lorain App. No. 22CA011870, [2023-Ohio-3107](#).

Donnelly and Stewart, JJ., dissent.

## MOTIONS FOR RECONSIDERATION

**2022-1052. State ex rel. Ogle v. Hocking Cty. Common Pleas Court.**

Hocking App. No. 20CA9. Reported at \_\_ Ohio St.3d \_\_, 2023-Ohio-3534, \_\_ N.E.3d \_\_. On motion for reconsideration. Motion denied. Appellees' motion to set response deadline denied as moot.

Kennedy, C.J., and Fischer, J., would deny appellees' motion on the merits.

**2023-0398. Armengau v. Bur. of Sentence Computation.**

In Mandamus. Reported at 171 Ohio St.3d 1462, 2023-Ohio-3697, 219 N.E.3d 946. On motion for reconsideration. Motion denied.

Brunner, J., not participating.

**2023-0754. State v. Kramer-Kelly.**

Cuyahoga App. No. 111233, [2023-Ohio-1031](#). Reported at 171 Ohio St.3d 1445, 2023-Ohio-3432, 218 N.E.3d 950. On motion for reconsideration. Motion denied.

Donnelly, J., dissents.

**2023-0933. Lipin v. Bruns.**

In Mandamus and Procedendo. Reported at 171 Ohio St.3d 1466, 2023-Ohio-3741, 219 N.E.3d 955. On motion for reconsideration. Motion denied. Relator's motion for leave to file memorandum of law denied.