

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

December 28, 2023

[Cite as *12/28/2023 Case Announcements*, 2023-Ohio-4773.]

MERIT DECISIONS WITH OPINIONS

2022-0407 and 2022-0424. Everhart v. Coshocton Cty. Mem. Hosp., Slip Opinion No. 2023-Ohio-4670.

Franklin App. No. 21AP-74, [2022-Ohio-629](#). Judgment reversed and cause remanded.

Kennedy, C.J., and Fischer, DeWine, and Deters, JJ., concur.

Donnelly, J., dissents, with an opinion joined by Stewart, J.

Brunner, J., dissents, with an opinion.

2022-0460 and 2022-0658. Davis v. Mercy St. Vincent Med. Ctr., Slip Opinion No. 2023-Ohio-4723.

Lucas App. No. L-21-1095, [2022-Ohio-1266](#). Judgment reversed on the authority of *Everhart v. Coshocton Cty. Mem. Hosp.*, __ Ohio St.3d __, 2023-Ohio-4670, __ N.E.3d __, and cause remanded.

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

2022-0693 and 2022-0880. Wood v. Lynch, Slip Opinion No. 2023-Ohio-4698.

Franklin App. No. 20AP-289, [2022-Ohio-1381](#). Judgment reversed on the authority of *Everhart v. Coshocton Cty. Mem. Hosp.*, __ Ohio St.3d __, 2023-Ohio-4670, __ N.E.3d __.

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

2022-0717 and 2022-0718. McCarthy v. Lee, Slip Opinion No. 2023-Ohio-4699.

Franklin App. No. 21AP-105, [2022-Ohio-1033](#). Judgment reversed on the authority of *Everhart v. Coshocton Cty. Mem. Hosp.*, __ Ohio St.3d __, 2023-Ohio-4670, __ N.E.3d __.

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

Brunner, J., dissents for the reasons set forth in her dissenting opinion in *Everhart*.

2022-0732. McCarthy v. Lee, Slip Opinion No. 2023-Ohio-4696.

Franklin App. No. 21AP-426, [2022-Ohio-1413](#). Judgment affirmed.

Kennedy, C.J., and Fischer, DeWine, and Deters, JJ., concur.

Brunner, J., dissents, with an opinion joined by Donnelly and Stewart, JJ.

2022-0779. State v. Mills, Slip Opinion No. 2023-Ohio-4716.

Lucas App. No. L-20-1084, [2022-Ohio-969](#). Judgment affirmed.

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

Fischer, J., concurs in judgment only, with an opinion.

Donnelly, J., would dismiss the appeal as having been improvidently accepted because the court of appeals appropriately applied settled caselaw.

Brunner, J., dissents, with an opinion joined by Stewart, J.

2022-0781 and 2022-0890. Maxwell v. Lombardi, Slip Opinion No. 2023-Ohio-4700.

Franklin App. No. 21AP-556, [2022-Ohio-1686](#). Judgment reversed on the authority of *Everhart v. Coshocton Cty. Mem. Hosp.*, __ Ohio St.3d __, [2023-Ohio-4670](#), __ N.E.3d __.

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

2022-1121 and 2022-1166. Ewing v. UC Health, Slip Opinion No. 2023-Ohio-4701.

Hamilton App. No. C-210390, [2022-Ohio-2560](#). Judgment reversed on the authority of *Everhart v. Coshocton Cty. Mem. Hosp.*, __ Ohio St.3d __, 2023-Ohio-4670, __ N.E.3d __.

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

2023-0552. Rossi v. Atrium Med. Ctr., Slip Opinion No. 2023-Ohio-4702.

Warren App. No. CA2022-05-027, [2023-Ohio-984](#). Judgment affirmed on the authority of *Everhart v. Coshocton Cty. Mem. Hosp.*, __ Ohio St.3d __, 2023-Ohio-4670, __ N.E.3d __, and *Wilson v. Durrani*, 164 Ohio St.3d 419, 2020-Ohio-6827, 173 N.E.3d 448.

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

MOTION AND PROCEDURAL RULINGS

2023-0004. Preterm-Cleveland v. Yost.

Hamilton App. No. C-220504, [2022-Ohio-4540](#). On motion for admission pro hac vice of Andrew L. Schlafly. Motion denied as moot.

2023-0255. Sherwin-Williams Co. v. Certain Underwriters at Lloyd's London.

Cuyahoga App. No. 110187, [2022-Ohio-3031](#). On motion for admission pro hac vice of Shannon Y. Shin. Motion granted. Pursuant to Gov.Bar R. XII(4), counsel shall file a notice of permission to appear pro hac vice with the Supreme Court's Office of Attorney Services within 30 days.

2023-0372. Kennedy v. W. Res. Senior Care.

Portage App. No. 2021-P-0055, [2023-Ohio-264](#). Sua sponte, cause no longer held for the decision in 2022-0407 and 2022-0424, *Everhart v. Coshocton Cty. Mem. Hosp.*, and stay of briefing schedule lifted as to proposition of law No. III only. The clerk of the court shall issue an order for the transmittal of the record from the Court of Appeals of Portage County, and the parties shall brief this case as to proposition of law No. III in accordance with the Rules of Practice of the Supreme Court of Ohio.

2023-1204. State v. Wilcox.

Hamilton App. No. C-220472, [2023-Ohio-2940](#). On appellee's motion for appointment of counsel. Motion granted. Office of the Ohio Public Defender appointed to represent appellee.