

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

March 28, 2023

[Cite as *03/28/2023 Case Announcements, 2023-Ohio-921.*]

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## MERIT DECISIONS WITHOUT OPINIONS

**2023-0163. State v. Franco.**

In Habeas Corpus. Sua sponte, cause dismissed.

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

**2023-0172. Williams v. Fender.**

In Habeas Corpus. Sua sponte, cause dismissed.

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

**2023-0206. Howard v. Watson.**

In Habeas Corpus. Sua sponte, cause dismissed.

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

**2023-0222. Collier v. Foley.**

In Habeas Corpus. Sua sponte, cause dismissed.

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

## MOTION AND PROCEDURAL RULINGS

**2023-0167. State v. Pierce.**

Cuyahoga App. No. 110791, [2022-Ohio-3912](#). 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.

**2023-0198. State v. Hooks.**

Butler App. No. CA2021-12-148, [2022-Ohio-4132](#). 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.

## APPEALS NOT ACCEPTED FOR REVIEW

**2022-1543. Wisehart v. Wisehart.**

Preble App. No. CA2022-05-006, [2022-Ohio-3774](#).

**2023-0015. State v. Schmidt.**

Warren App. No. CA2021-12-115, [2022-Ohio-4138](#).

**2023-0021. McMullen v. Wyatt.**

Portage App. No. 2022-P-0023, [2022-Ohio-4162](#).

**2023-0025. Vukovic-Burkhardt v. Dayton Bd. of Edn.**

Montgomery App. No. 29539, [2022-Ohio-4183](#).

**2023-0028. Weiler v. C.L.**

Cuyahoga App. No. 111657, [2022-Ohio-4212](#).

**2023-0034. State v. Harper.**

Scioto App. No. 21CA3965, [2022-Ohio-4357](#).

**2023-0035. Ash-Holloway v. Holloway.**

Trumbull App. No. 2021-T-0031, [2022-Ohio-4248](#).

**2023-0038. New Wembley, L.L.C. v. Klar.**

Geauga App. No. 2022-G-0007, [2022-Ohio-4250](#).

**2023-0044. State v. Cunningham.**

Portage App. No. 2021-P-0048, [2021-Ohio-4052](#).

**2023-0045. State v. Cunningham.**

Portage App. No. 2021-P-0047, [2021-Ohio-4051](#).

**2023-0048. State v. Evick.**

Clinton App. No. CA2022-10-026.

Stewart, J., dissents and would appoint counsel.

**2023-0049. Lake Front Med., L.L.C. v. Ohio Dept. of Commerce.**

Lake App. No. 2021-L-102, [2022-Ohio-4281](#). Appellant's motion to strike memorandum in response to jurisdiction denied.

DeWine and Deters, JJ., would deny the motion as moot.

**2023-0050. Auto Loan, Inc. v. Sisler.**

Portage App. No. 2021-P-0099, [2022-Ohio-3282](#).

Stewart, J., dissents and would accept the appeal on proposition of law No. V.

Deters, J., dissents and would accept the appeal on proposition of law Nos. I and III.

**2023-0052. Powell v. Cleveland.**

Cuyahoga App. No. 111338, [2022-Ohio-4286](#).

**2023-0054. Pierre Invests., Inc. v. CLS Capital Group, Inc.**

Lucas App. No. L-21-1229, [2022-Ohio-4311](#). Appellant's motion for leave to file revised document previously filed denied.

Brunner, J., would deny the motion as moot.

**2023-0055. State v. Heiney.**

Lucas App. No. L-22-1238.

**2023-0057. Norman v. Pearson.**

Montgomery App. No. 29506, [2022-Ohio-4317](#).

Deters, J., dissents and would accept the appeal on proposition of law No. I.

**2023-0059. State v. Voltz.**

Jefferson App. No. 21-JE-0020, [2022-Ohio-4351](#).

**2023-0060. State v. Fulton.**

Marion App. No. 9-22-05, [2022-Ohio-4323](#).

**2023-0062. State v. Ludwick.**

Highland App. No. 21CA17, [2022-Ohio-2609](#).

**2023-0075. State v. Kirkland.**

Lorain App. No. 19CA011485.

**2023-0081. State v. Mitchell.**

Hamilton App. Nos. C-220155 and C-220156.  
Deters, J., not participating.

**2023-0082. State v. Lindsay.**

Richland App. No. 22-CA-61, [2022-Ohio-4498](#).

**2023-0136. State v. Townsend.**

Cuyahoga App. No. 110525, [2022-Ohio-4938](#).

**2023-0147. State v. Snowden.**

Montgomery App. No. 29355, [2022-Ohio-4119](#).

**2023-0149. State v. Harvey.**

Lucas App. No. L-22-1029, [2022-Ohio-4650](#).

**2023-0164. State v. Draughon.**

Franklin App. No. 22AP-182, [2022-Ohio-3443](#).

**2023-0174. State v. Johnson.**

Mahoning App. No. 21 MA 0106, [2022-Ohio-4821](#).

**2023-0181. State v. Thompson.**

Lucas App. No. L-22-1287.

**2023-0186. State v. Knight.**

Summit App. No. 30270, [2022-Ohio-4790](#).

**2023-0208. State v. Burroughs.**

Mahoning App. No. 93 CA 0013, [2022-Ohio-4823](#).

## RECONSIDERATION OF PRIOR DECISIONS

### **2021-1592. State ex rel. Hunt v. E. Cleveland.**

In Mandamus. Reported at \_\_ Ohio St.3d \_\_, 2023-Ohio-407, \_\_ N.E.3d \_\_. On motion for reconsideration. Motion denied.

### **2022-1190. Career & Technical Assn. v. Auburn Vocational School Dist. Bd. of Edn.**

Lake App. No. 2021-L-113, [2022-Ohio-2737](#). Reported at 168 Ohio St.3d 1527, 2023-Ohio-86, 200 N.E.3d 1151. On motion for reconsideration. Motion denied.

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

### **2022-1199. State v. Dean.**

Madison App. Nos. CA2021-08-013 and CA2021-08-014, [2022-Ohio-3105](#). Reported at 168 Ohio St.3d 1527, 2023-Ohio-86, 200 N.E.3d 1152. On motion for reconsideration. Motion denied.

### **2022-1211. State v. Justice.**

Franklin App. No. 22AP-538. Reported at 168 Ohio St.3d 1527, 2023-Ohio-86, 200 N.E.3d 1152. On petition for reconsideration pursuant to S.Ct.Prac.R. 12.08(B). Petition denied.

### **2022-1274. Molai v. Standing Rock Cemetery Bd. of Trustees.**

Portage App. No. 2021-P-0117, [2022-Ohio-3004](#). Reported at 168 Ohio St.3d 1528, 2023-Ohio-86, 200 N.E.3d 1153. On motion for reconsideration. Motion denied.

### **2022-1292. Whitacre v. Regel.**

In Mandamus. Reported at 169 Ohio St.3d 1417, 2023-Ohio-152, 201 N.E.3d 894. On motion filed on February 6, 2023. Motion denied.

### **2022-1369. State v. Cruz.**

Erie App. No. E-21-057, [2022-Ohio-3356](#). Reported at 168 Ohio St.3d 1530, 2023-Ohio-86, 200 N.E.3d 1164. On motion for reconsideration. Motion denied.

### **2022-1388. Byrd v. Shuster.**

In Mandamus. Reported at 169 Ohio St.3d 1418, 2023-Ohio-152, 201 N.E.3d 902. On motion for reconsideration. Motion denied.

**2022-1436. State ex rel. Douglas v. Cuyahoga Cty. Treasurer.**

In Mandamus. Reported at 169 Ohio St.3d 1419, 2023-Ohio-152, 201 N.E.3d 902.

On motion for reconsideration and notice. Motion denied.