

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

March 14, 2023

[Cite as *03/14/2023 Case Announcements, 2023-Ohio-758.*]

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## MERIT DECISIONS WITHOUT OPINIONS

**2023-0145. Weatherford v. Kuhn.**

In Habeas Corpus. Sua sponte, cause dismissed.

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

**2023-0146. Thompson v. Harky.**

In Habeas Corpus. Sua sponte, cause dismissed.

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

## MOTION AND PROCEDURAL RULINGS

**2019-1642. State v. Brinkman.**

Stark C.P. No. 2018CR1994. On application for reopening under S.Ct.Prac.R. 11.06. Application denied.

**2023-0039. State v. Jarmon.**

Butler App. No. CA2021-08-091, [2022-Ohio-2327](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

**2023-0086. State v. Jemison.**

Warren App. No. CA2022-03-009, [2022-Ohio-3597](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

Brunner, J., dissents.

**2023-0091. State v. Coleman.**

Cuyahoga App. No. 111332, [2022-Ohio-4013](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

**2023-0093. State v. Johnson.**

Stark App. No. 2021 CA 00116, [2022-Ohio-4344](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

**APPEALS ACCEPTED FOR REVIEW**

**2022-1600. State v. Reed.**

Hamilton App. No. C-200104, [2022-Ohio-3986](#). Appeal accepted on proposition of law Nos. II through V. Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

Kennedy, C.J., dissents.

DeWine and Deters, JJ., not participating.

**2023-0004. Preterm-Cleveland v. Yost.**

Hamilton App. No. C-220504, [2022-Ohio-4540](#). Appeal accepted on proposition of law Nos. I and II.

Kennedy, C.J., and DeWine and Byrne, JJ., would accept the appeal on all propositions of law.

Donnelly, Stewart, and Brunner, JJ., dissent.

Matthew Byrne, J., of the Twelfth District Court of Appeals, sitting for Deters, J.

**2023-0009. Smith v. Ohio State Univ.**

Franklin App. No. 22AP-125, [2022-Ohio-4101](#). Appeal accepted on proposition of law No. II.

DeWine, Stewart, and Deters, JJ., would accept the appeal on both propositions of law.

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

**2023-0020. State v. Thornton.**

Cuyahoga App. No. 111347, [2022-Ohio-4203](#). Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

**2023-0029. State v. Sharp.**

Cuyahoga App. Nos. 111359 and 111360, [2022-Ohio-4204](#). Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

Deters, J., would accept the appeal on proposition of law No. II only.

**2023-0031. State v. Bradford.**

Lucas App. No. L-21-1262. Sua sponte, cause held for the decisions in [2020-1496](#), *State v. Hacker*, and 2021-0532, *State v. Simmons*.

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

**2023-0074. State v. Milton.**

Cuyahoga App. No. 111460, [2022-Ohio-4393](#). Sua sponte, cause held for the decisions in 2020-1496, *State v. Hacker*, and 2021-0532, *State v. Simmons*.

**APPEALS NOT ACCEPTED FOR REVIEW**

**2022-1340. State v. Carver.**

Cuyahoga App. No. 111292, [2022-Ohio-3238](#).

**2022-1602. State v. Howard.**

Cuyahoga App. No. 111286, [2022-Ohio-3739](#).

Donnelly, J., dissents.

**2022-1613. State v. Shundry.**

Stark App. No. 2022CA00051.

**2022-1625. State v. Cervantes.**

Wood App. No. WD-22-004, [2022-Ohio-4018](#).

**2022-1636. Woodgeard v. Heavlin.**

Stark App. Nos. 2022CA00118 and 2022CA00119.

**2022-1642. State v. Rose.**

Ashtabula App. No. 2022-A-0040, [2022-Ohio-4041](#). Appellant’s motion to represent himself in any further proceedings and “affidavit in support of emergency filing” denied as moot.

Fischer, J., would deny the motion and affidavit on the merits.

DeWine, J., would deny the motion on the merits.

Kennedy, C.J., would grant the motion.

**2022-1643. DJD Invest. Co., Ltd. v. Holsopple.**

Cuyahoga App. Nos. 111549 and 111696, [2022-Ohio-4089](#).

**2022-1644. Howard v. Mgt. & Training Corp.**

Franklin App. No. 21AP-283, [2022-Ohio-4071](#).

Kennedy, C.J., and Deters, J., dissent.

**2022-1646. State v. Pierce.**

Trumbull App. No. 2022-T-0011, [2022-Ohio-4048](#).

**2022-1650. State v. Bilitter.**

Tuscarawas App. No. 2022AP100039.

**2022-1652. Accelerated Moving & Storage v. Herc Rentals, Inc.**

Franklin App. No. 21AP-523, [2022-Ohio-3016](#).

**2023-0001. State v. Sanchez-Sanchez.**

Cuyahoga App. No. 110885, [2022-Ohio-4080](#).

**2023-0005. State v. Cartlidge.**

Seneca App. No. 13-18-33, [2019-Ohio-1283](#).

**2023-0010. Crutcher v. Oncology/Hematology Care, Inc.**

Hamilton App. Nos. C-220086 and C-220106, [2022-Ohio-4105](#).

**2023-0011. Siliko v. Miami Univ.**

Butler App. No. CA2021-12-162, [2022-Ohio-4133](#).

**2023-0013. State v. Gaines.**

Ashtabula App. Nos. 2022-A-0046, 2022-A-0047, and 2022-A-0049, [2022-Ohio-4278](#).

Donnelly, J., dissents.

**2023-0018. State v. Ahreshien.**

Lucas App. No. L-19-1184, [2021-1223](#).

**2023-0019. Herman v. Herman.**

Putnam App. No. 12-22-01, [2022-Ohio-4148](#).

**2023-0040. State v. Tanner.**

Butler App. No. CA2021-12-167, [2022-Ohio-4224](#).

Donnelly, J., dissents.

**2023-0056. State v. E.H.**

Cuyahoga App. No. 111590, [2022-Ohio-4289](#).

**2023-0061. State v. Thomann.**

Hamilton App. No. C-220028, [2022-Ohio-4264](#).

Fischer and Deters, JJ., not participating.

**2023-0083. State v. Smith.**

Cuyahoga App. No. 111604, [2022-Ohio-4396](#).

Donnelly and Deters, JJ., dissent.

**2023-0084. State v. Casshie.**

Cuyahoga App. No. 111270, [2022-Ohio-4403](#).

**2023-0106. State v. Mason.**

Franklin App. No. 22AP-777.

**2023-0112. State v. Godfrey.**

Licking App. No. 2022-CA-00036, [2023-Ohio-20](#). Appellant's motion to strike appellee's response to memorandum in support of jurisdiction denied.

Fischer and Brunner, JJ., would deny the motion as moot.

**2023-0121. State v. Malvasi.**

Mahoning App. No. 21 MA 0083, [2022-Ohio-4556](#).

## **RECONSIDERATION OF PRIOR DECISIONS**

**2022-1281. State v. Fraley.**

Butler App. No. CA2021-10-131, [2022-Ohio-3270](#). Reported at 168 Ohio St.3d 1526, [2023-Ohio-86](#), 200 N.E.3d 1146. On motion for reconsideration of proposition of law No. III. Motion granted and briefing schedule stayed.