

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

April 2, 2024

[Cite as *04/02/2024 Case Announcements*, 2024-Ohio-1228.]

MERIT DECISIONS WITHOUT OPINIONS

2024-0204. Garner v. Black.

In Habeas Corpus. Sua sponte, cause dismissed.

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

MOTION AND PROCEDURAL RULINGS

2024-0181. State v. Ridenour.

Warren App. No. CA2022-04-017, [2023-Ohio-2713](#). On motion for leave to file delayed appeal. Motion denied.

Stewart and Brunner, JJ., dissent.

2024-0182. State v. Wilmington.

Portage App. No. 2022-P-0048, [2023-Ohio-512](#). On motion for leave to file delayed appeal. Motion denied.

2024-0196. State v. Smith.

Licking App. No. 2022 CA 00031, [2023-Ohio-683](#). On motion for leave to file delayed appeal. Motion denied.

2024-0206. State v. Hicks-Stevens.

Cuyahoga App. No. 112329, [2023-Ohio-4307](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

DeWine, Brunner, and Deters, JJ., dissent.

2024-0222. State v. Norris.

Greene App. No. 2023-CA-8, [2023-Ohio-4057](#). On motion for leave to file delayed appeal. Motion denied.

Fischer, Donnelly, and Stewart, JJ., dissent.

APPEALS ACCEPTED FOR REVIEW

2024-0046. Wilson v. Wilson.

Butler App. No. CA2023-01-009, [2023-Ohio-4243](#). Appeal accepted on proposition of law No. II. Sua sponte, cause held for the decision in *United States v. Rahimi*, U.S. No. 22-915.

Kennedy, C.J., and Donnelly, J., would accept the appeal on both propositions of law.

Fischer, Stewart, and Brunner, JJ., dissent.

2024-0047. New Albany-Plain Local Schools Bd. of Edn. v. Franklin Cty. Bd. of Revision.

Franklin App. No. 22AP-738. Sua sponte, cause held for the decision in 2023-0964, *Marysville Exempted Village School Dist. Bd. of Edn. v. Union Cty. Bd. of Revision*.

2024-0048. New Albany-Plain Local Schools Bd. of Edn. v. Franklin Cty. Bd. of Revision.

Franklin App. No. 22AP-746. Sua sponte, cause held for the decision in 2023-0964, *Marysville Exempted Village School Dist. Bd. of Edn. v. Union Cty. Bd. of Revision*.

2024-0049. New Albany-Plain Local Schools Bd. of Edn. v. Franklin Cty. Bd. of Revision.

Franklin App. No. 22AP-747. Sua sponte, cause held for the decision in 2023-0964, *Marysville Exempted Village School Dist. Bd. of Edn. v. Union Cty. Bd. of Revision*.

2024-0050. New Albany-Plain Local Schools Bd. of Edn. v. Franklin Cty. Bd. of Revision.

Franklin App. No. 22AP-748. Sua sponte, cause held for the decision in 2023-0964, *Marysville Exempted Village School Dist. Bd. of Edn. v. Union Cty. Bd. of Revision*.

Donnelly, J., dissents.

2024-0051. New Albany-Plain Local Schools Bd. of Edn. v. Franklin Cty. Bd. of Revision.

Franklin App. No. 22AP-749. Sua sponte, cause held for the decision in 2023-0964, *Marysville Exempted Village School Dist. Bd. of Edn. v. Union Cty. Bd. of Revision*.

2024-0056. Doe v. Columbus.

Delaware App. No. 23CAE040028. Appeal accepted on proposition of law Nos. I and II.

Kennedy, C.J., would accept the appeal on all propositions of law.

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

2024-0108. State v. Staffrey.

Mahoning App. No. 23 MA 0034, [2023-Ohio-4746](#).

Fischer, Donnelly, and Deters, JJ., dissent.

APPEALS NOT ACCEPTED FOR REVIEW

2023-1352. State v. Gillard.

Muskingum App. No. CT2022-0040, [2023-Ohio-2682](#).

2023-1563. State v. Brown.

Richland App. No. 2022 CA 0042, [2023-Ohio-3906](#).

2023-1640. Graham v. Lake Cty. Dept. of Job & Family Servs.

Lake App. No. 2023-L-073, [2023-Ohio-4366](#).

Fischer, J., dissents.

2024-0017. Cain Ridge Beef Farm, L.L.C. v. Stubbins, Watson, Bryan & Witucky, L.P.A.

Monroe App. No. 23 MO 0006, [2023-Ohio-4727](#).

Fischer and Donnelly, JJ., dissent.

2024-0045. Alford v. Dept. of Rehab. & Corr.

Franklin App. No. 23AP-74, [2023-Ohio-4290](#).

2024-0053. Columbia Gas of Ohio, Inc. v. Holloway.

Union App. Nos. 14-23-18 through 14-23-25, [2023-Ohio-4257](#).

2024-0057. State v. Seals.

Muskingum App. No. CT2022-0045, [2023-Ohio-1261](#).

2024-0059. State v. Greiner.

Muskingum App. No. CT2019-0003, [2019-Ohio-3624](#).

2024-0062. State v. Cottrell.

Muskingum App. No. CT2022-0061, [2023-Ohio-1391](#).

2024-0065. Brown v. Zipkin.

Cuyahoga App. No. 113154.

2024-0066. State v. Keith.

Marion App. No. 9-22-28, [2023-Ohio-3428](#).

2024-0076. Cirotto v. Am. Self Storage of Pickerington, L.L.C.

Fairfield App. No. 23 CA 14, [2023-Ohio-4335](#).

2024-0077. State v. Reed.

Stark App. No. 2023CA00033, [2023-Ohio-4694](#).

2024-0079. State v. Hopkins.

Cuyahoga App. Nos. 112430 and 112704, [2023-Ohio-4311](#).

2024-0084. State v. Coleman.

Butler App. No. CA2023-03-037, [2023-Ohio-4354](#).

2024-0091. Bank of New York Mellon v. Mitchell.

Hamilton App. Nos. C-220438 and C-230041.

2024-0092. Meros v. Sunbelt Rentals, Inc.

Cuyahoga App. Nos. 112483 and 112709, [2023-Ohio-4313](#).

Brunner, J., dissents.

2024-0093. State v. Ware.

Richland App. Nos. 2022CA0048 and 2022CA0049.

2024-0095. State v. DiStasio.

Cuyahoga App. No. 113412.

2024-0097. Mehwald v. Atlantic Tool & Die Co.

Cuyahoga App. Nos. 111692, 111901, and 111904, [2023-Ohio-2778](#).

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

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

2024-0099. Rieg v. Seville.

Medina App. No. 23CA0023-M, [2023-Ohio-4581](#).

2024-0101. State v. Volpi.

Ashtabula App. No. 2022-A-0067, [2023-Ohio-4488](#).

2024-0103. State v. Hill.

Stark App. No. 2023CA00029, [2023-Ohio-4381](#).

2024-0105. Evans v. Dir., Dept. of Job & Family Servs.

Delaware App. No. 23 CAE 04 0023, [2023-Ohio-4299](#).

2024-0106. Bogan v. Keith.

Montgomery App. No. 29842, [2023-Ohio-4159](#).

2024-0107. State v. Gronbeck.

Greene App. No. 2023-CA-68, [2024-Ohio-26](#).

Kennedy, C.J., dissents.

2024-0113. DeVore v. Adult Parole Auth.

Franklin App. No. 23AP-350, [2023-Ohio-4558](#).

2024-0114. State v. Mack.

Richland App. No. 2022 CA 0083.

2024-0116. Quest Wellness Ohio, L.L.C. v. Samuels.

Mahoning App. No. 2023 MA 0013.

Donnelly and Deters, JJ., dissent and would hold the cause for the decision in 2023-1448 and 2023-1588, *Ashland Global Holdings, Inc. v. SuperAsh Remainderman Ltd. Partnership*.

2024-0119. State v. Kelley.

Cuyahoga App. No. 112162, [2023-Ohio-3972](#).

2024-0120. State v. Clark.

Franklin App. No. 22-AP-433.

Brunner, J., not participating.

2024-0121. State v. Helms.

Summit App. Nos. 30320 and 30321, [2023-Ohio-4225](#).

2024-0126. State v. Smith.

Montgomery App. No. 29597, [2023-Ohio-4565](#).

2024-0134. Akron v. Calhoun.

Summit App. No. 30472, [2023-Ohio-4840](#).

Deters, J., dissents.

2024-0136. State v. Mounts.

Hamilton App. No. C-210608, [2023-Ohio-3861](#).

Deters, J., not participating.

2024-0138. Hull v. Poulos.

Hamilton App. No. C-230063, [2023-Ohio-4500](#).

Brunner, J., dissents and would accept the appeal on proposition of law Nos. II, III, and IV.

2024-0139. State v. Stevens.

Hocking App. No. 21CA9, [2023-Ohio-3280](#).

2024-0140. State v. Rowland.

Columbiana App. No. 22 CO 0037, [2023-Ohio-4806](#).

Donnelly, J., dissents.

2024-0141. Hal Fab, L.L.C. v. Jordan.
Cuyahoga App. No. 112508, [2023-Ohio-4535](#).
Kennedy, C.J., dissents.

2024-0150. Roberts v. Opalich.
Cuyahoga App. No. 112612, [2023-Ohio-4652](#).

2024-0152. State v. HERNs.
Mahoning App. No. 22 MA 0109, [2023-Ohio-4714](#).
Donnelly, J., dissents and would accept the appeal on proposition of law Nos. I and II and would appoint counsel.

2024-0156. Apple Ohio, L.L.C. v. Rose Italian Kitchen Solon, L.L.C.
Cuyahoga App. No. 112281, [2023-Ohio-2880](#).
Fischer and Stewart, JJ., dissent.

2024-0176. State v. Bender.
Belmont App. No. 23 BE 0012, [2023-Ohio-4737](#).
Donnelly, J., dissents.

2024-0217. Koch v. Murphy.
Wayne App. No. 23AP0011, [2023-Ohio-4828](#).

2024-0218. J.M. v. S.M.
Franklin App. No. 22AP-773, [2023-Ohio-4803](#).

2024-0225. State v. Vitumukiza.
Cuyahoga App. No. 110633, [2023-Ohio-4877](#).

2024-0229. State v. Potts.
Medina App. No. 22CA0059-M, [2023-Ohio-4849](#).

2024-0250. State v. Hillman.
Franklin App. No. 24AP-66.

RECONSIDERATION OF PRIOR DECISIONS

2023-0334. State v. Beasley.

Summit C.P. No. CR-2012-01-0169-A. Reported at 172 Ohio St.3d 1477, 2024-Ohio-302, 226 N.E.3d 969. On motion for reconsideration. Motion denied.

2023-1347. Davis v. Canton.

In Mandamus. Reported at 172 Ohio St.3d 1469, 2024-Ohio-202, 225 N.E.3d 1038. On motion for reconsideration. Motion denied.

2023-1365. Patel v. Huntington Banc Shares Fin. Corp.

Lake App. No. 2023-L-036, [2023-Ohio-3218](#). Reported at 172 Ohio St.3d 1464, 2024-Ohio-163, 225 N.E.3d 1023. On motion for reconsideration. Motion denied.

2023-1393. State ex rel. Pesta v. Blakeman.

In Mandamus. Reported at 172 Ohio St.3d 1469, 2024-Ohio-202, 225 N.E.3d 1039. On revised motion for reconsideration. Motion denied. Relator's motion for constitutional relief and motion to strike denied.

Donnelly, J., dissents in part and would grant the revised motion for reconsideration.

Brunner, J., dissents in part and would grant the revised motion for reconsideration and would deny the motion to strike as moot.

2023-1406. Henry Cty. Land Reutilization Corp. v. Pelmeear.

Henry App. No. 7-23-03, [2023-Ohio-2718](#). Reported at 172 Ohio St.3d 1465, 2024-Ohio-163, 225 N.E.3d 1031. On motion for reconsideration. Motion denied.

Kennedy, C.J., dissents.

2023-1447. State v. Justice.

Franklin App. No. 23AP-280. Reported at 172 Ohio St.3d 1466, 2024-Ohio-163, 225 N.E.3d 1030. On petition for reconsideration. Petition denied. Appellant's petition for clarification denied.

2023-1469. State ex rel. Mitchell v. Eleventh Dist. Court of Appeals Judges.

In Mandamus and Prohibition. Reported at 172 Ohio St.3d 1470, 2024-Ohio-202, 225 N.E.3d 1040. On motion for reconsideration. Motion denied.

2023-1473. State ex rel. Pierce v. Clerk of the Supreme Court of Ohio.

In Mandamus. Reported at 172 Ohio St.3d 1470, 2024-Ohio-202, 225 N.E.3d 1042. On motion for reconsideration. Motion denied.