

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

April 16, 2024

[Cite as *04/16/2024 Case Announcements*, 2024-Ohio-1386.]

MERIT DECISIONS WITHOUT OPINIONS

2024-0304. State ex rel. Duncan v. May.

In Habeas Corpus. Sua sponte, cause dismissed.

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

Deters, J., not participating.

2024-0306. Ajama v. Hildebrand.

In Habeas Corpus. Sua sponte, cause dismissed.

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

2024-0332. State v. El Moh.

In Habeas Corpus. Sua sponte, cause dismissed.

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

MOTION AND PROCEDURAL RULINGS

2024-0232. State v. Hathorn.

Hancock App. No. 5-22-17, [2023-Ohio-3936](#). On motion for leave to file delayed appeal. Motion denied.

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

2024-0237. State v. Cultrona.

Tuscarawas App. No. 2023 AP 01 0006, [2023-Ohio-3707](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

Deters, J., dissents.

2024-0242. State v. Blankenship.

Clark App. No. 2023-CA-9, [2023-Ohio-4442](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

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

2024-0243. State v. Trigg.

Montgomery App. No. 29637, [2023-Ohio-3660](#). 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.

2024-0245. State v. Moore.

Montgomery App. No. 29677, [2023-Ohio-4445](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

2024-0252. State v. Herbert.

Jefferson App. No. 23 JE 0001, [2023-Ohio-4490](#). 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.

2024-0274. State v. Littler.

Ross App. No. 22CA37, [2023-Ohio-4759](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

DeWine, J., dissents.

2024-0294. State v. Boyd.

Mahoning App. No. 23 MA 0012, [2023-Ohio-4725](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

Deters, J., dissents.

APPEALS ACCEPTED FOR REVIEW

2024-0228. State v. Sims.

Hamilton App. No. C-230274, [2023-Ohio-4711](#). Sua sponte, cause held for the decision in 2023-0839, *State v. Mays*.

Fischer, Donnelly, and Brunner, JJ., would not hold the cause.

APPEALS NOT ACCEPTED FOR REVIEW

2023-0938. Enger v. Black.

Wayne App. No. 22AP0010, [2023-Ohio-1932](#).

2023-1498. State v. Lanier.

Belmont App. No. 22 BE 0070, [2023-Ohio-3088](#).

Brunner, J., dissents and would accept the appeal on proposition of law No. III and appoint counsel.

2023-1577. State v. Brodie.

Medina App. No. 21CA0048-M, [2023-Ohio-3743](#).

Donnelly, J., dissents.

2023-1619. State v. Rainey.

Hamilton App. No. C-230015, [2023-Ohio-4043](#).

Brunner, J., dissents.

Deters, J., not participating.

2024-0004. State v. Dunn.

Cuyahoga App. Nos. 112301 and 112916, [2023-Ohio-4413](#). Appeal and cross-appeal not accepted.

2024-0011. Solon v. Butz.

Stark App. No. 2023CA00078. Appellees' motion to dismiss denied.

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

Fischer, J., dissents in part and would grant the motion.

2024-0104. State v. Carswell.

Sandusky App. No. S-22-018, [2023-Ohio-4574](#).

Donnelly, J., dissents.

2024-0130. U.S. Bank Natl. Assn. v. Smith.

Mahoning App. No. 22 MA 0111, [2024-Ohio-546](#).

Brunner, J., not participating.

2024-0131. State v. Hathorn.

Hancock App. No. 5-22-17, [2023-Ohio-3936](#).

2024-0132. Schmaltz v. DK Hardware Supply.

Madison App. No. CA2023-03-006, [2023-Ohio-4084](#).

2024-0133. Certain Interested Underwriters at Lloyd's London v. Total Quality Logistics, L.L.C.

Clermont App. No. CA2023-01-002, [2023-Ohio-4470](#).

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

2024-0137. In re F.M. v. Dept. of Medicaid.

Franklin App. No. 23AP-104, [2023-Ohio-4522](#).

2024-0142. State v. Mahan.

Fairfield App. No. 23-CA-19, [2023-Ohio-4520](#).

Fischer, J., dissents.

2024-0146. Geis v. Markling.

Summit App. No. 30494, [2023-Ohio-4506](#).

2024-0147. State v. Gillard.

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

2024-0149. State v. Rossiter.

Ross App. No. 21CA3762, [2023-Ohio-4809](#).

Fischer, J., dissents and would hold the cause for the decision in 2023-0654, *State v. Glover*.

2024-0151. Johnson v. Ohio Dept. of Job & Family Servs.

Summit App. No. 30246, [2023-Ohio-4629](#).

2024-0153. Alford v. Dept. of Rehab. & Corr.

Franklin App. No. 22AP-779, [2024-Ohio-19](#).

2024-0158. State v. Roth.

Muskingum App. No. CT2023-0007, [2023-Ohio-4616](#).

2024-0160. Lucas v. Eclipse Cos., L.L.C.

Monroe App. No. 23 MO 0007, [2023-Ohio-4728](#).

Fischer, J., dissents.

2024-0162. State v. McGee.

Franklin App. No. 21AP-543, [2023-Ohio-2935](#).

2024-0165. Watson v. Watson.

Warren App. No. CA2023-06-049.

2024-0166. Farmers Trust Co. v. Lake Erie College.

Mahoning App. No. 23 MA 0015, [2023-Ohio-4745](#).

2024-0168. Kemp v. Rice Drilling, L.L.C.

Belmont App. No. 22 BE 0059, [2023-Ohio-4732](#).

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

2024-0170. State v. Pitts.

Ottawa App. No. OT-22-052, [2023-Ohio-3545](#).

2024-0172. State v. Wood.

Clark App. No. 2022-CA-67, [2023-Ohio-3735](#). Appellant's motion for appointment of counsel denied.

Stewart, Brunner, and Deters, JJ., would deny the motion as moot.

2024-0174. MP 11868 Clifton, L.L.C. v. Cuyahoga Cty. Bd. of Revision.

Cuyahoga App. No. 112444, [2023-Ohio-4647](#).

Kennedy, C.J., dissents.

2024-0175. Smith v. Mentor Ridge Health & Rehab.

Cuyahoga App. No. 112863, [2023-Ohio-4649](#).

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

2024-0178. State v. Pinckney.

Summit App. No. 30334, [2023-Ohio-4630](#).

2024-0183. M.G. v. S.M.

Franklin App. No. 23AP-113, [2023-Ohio-4678](#).

2024-0185. State v. Carley.

Cuyahoga App. No. 112393, [2023-Ohio-4646](#).

2024-0186. SJBK, L.L.C. v. Northwood Energy Corp.

Monroe App. No. 23 MO 0010, [2023-Ohio-4729](#).

2024-0187. Dayton v. Siff.

Montgomery App. No. 29526, [2023-Ohio-4685](#).

2024-0188. Glass v. Franklin Cty. Dept. of Animal Care & Control.

Franklin App. No. 22AP-519, [2023-Ohio-4804](#).

2024-0192. State v. Stubbs.

Coshocton App. No. 19CA0020.

2024-0194. State v. Cody.

Clinton App. No. CA2023-05-010, [2023-Ohio-4781](#).

2024-0198. State ex rel. Ohio History Connection v. Moundbuilders Country Club Co.

Licking App. No. 23CA0071.

2024-0200. Duff v. Christopher.

Lake App. No. 2023-L-053, [2023-Ohio-4873](#).

2024-0214. State v. Ruiter.

Mahoning App. No. 22 MA 0002, [2024-Ohio-149](#).

DeWine and Brunner, JJ., dissent.

2024-0223. In re J.P.

Hamilton App. Nos. C-220647 and C-220648, [2023-Ohio-4816](#).

DeWine and Deters, JJ., not participating.

2024-0233. State v. Quigley.

Cuyahoga App. No. 112783, [2024-Ohio-252](#).

2024-0262. State v. Hrytsyak.

Cuyahoga App. No. 112496, [2023-Ohio-3159](#).

Fischer, J., dissents.

2024-0266. State v. Morris.

Franklin App. No. 23AP-186, [2024-Ohio-262](#).

2024-0310. Yoonessi v. State Med. Bd.

Franklin App. No. 23AP-160, [2024-Ohio-169](#).

2024-0313. State v. Forrester.

Stark App. No. 2022 CA 00162, [2023-Ohio-3025](#).

2024-0316. State v. Whitfield.

Lucas App. No. L-23-1099, [2024-Ohio-187](#). Appellant's motion for appointment of counsel denied.

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

Donnelly, J., dissents and would accept the appeal and grant the motion.

2024-0341. State v. Rutan.

Franklin App. No. 23AP-309, [2024-Ohio-593](#).

RECONSIDERATION OF PRIOR DECISIONS

2022-0987. State v. Palmer.

Clermont App. No. CA2021-07-035, [2022-Ohio-2181](#). Reported at __ Ohio St.3d __, [2024-Ohio-539](#), __ N.E.3d __. On motion for reconsideration. Motion denied.

DeWine and Deters, JJ., dissent.

2023-1641. La Riccia v. Ohio Civ. Rights Comm.

Cuyahoga App. No. 111976, [2023-Ohio-1816](#). Reported at 173 Ohio St.3d 1405, [2024-Ohio-555](#), 227 N.E.3d 1268. On motion for reconsideration. Motion denied.