

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

April 24, 2024

[Cite as *04/24/2024 Case Announcements*, 2024-Ohio-1507.]

MERIT DECISIONS WITH OPINIONS

2023-1225. Turner v. Kelsey, Slip Opinion No. 2024-Ohio-1506.

Cuyahoga App. No. 112820, [2023-Ohio-2881](#). Judgment affirmed.

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

MERIT DECISIONS WITHOUT OPINIONS

2023-1192. State ex rel. Satta v. Dept. of Rehab. & Corr.

In Mandamus. On relator's motion for default judgment. Motion denied. Respondent's motion to dismiss granted. Relator's motion for leave to file evidence and merit brief denied. Cause dismissed.

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

2024-0179. Bibb v. Ohio Atty. Gen. Office.

In Mandamus. On respondent's motion to dismiss. Motion granted. Cause dismissed.

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

2024-0190. State ex rel. Scott v. Hendrickson.

In Mandamus. On respondents' motion to dismiss. Motion granted. Cause dismissed.

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

2024-0197. State ex rel. Jones v. Wenger.

In Procedendo. On respondent's motion to dismiss action as moot. Motion granted. Cause dismissed.

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

2024-0221. State ex rel. Mobley v. Green.

In Mandamus. On respondent's motion for judgment on pleadings. Motion granted. Cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Donnelly, and Stewart, JJ., concur.
Brunner and Deters, JJ., dissent and would grant an alternative writ.

2024-0231. Munyan v. Gonzalez-Wells.

In Quo Warranto. On respondents' motions to dismiss. Motions granted. Cause dismissed.

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

2024-0234. Bibb v. Sinclair Broadcast Group.

In Mandamus. Cause dismissed pursuant to S.Ct.Prac.R. 12.04.

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

2024-0253. Bibb v. Catholic [Diocese of Columbus].

In Mandamus. On respondent's motion to dismiss. Motion granted. Cause dismissed.

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

Fischer, J., concurs and would sua sponte declare relator to be a vexatious litigator.

2024-0255. Monroe v. Driscoll.

In Procedendo. On respondent's motion to dismiss. Motion granted. Cause dismissed.

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

Brunner, J., would sua sponte dismiss the action as moot.

2024-0273. State v. Patton.

In Mandamus. On respondents' motion to dismiss. Motion granted. Cause dismissed.

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

MOTION AND PROCEDURAL RULINGS

2023-1505. State ex rel. Robinson v. Wesson.

In Mandamus. On relator's motion to proceed to judgment on statutory damages. Motion denied.

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

2023-1636. State ex rel. Ware v. Sheldon.

In Mandamus. On respondent's motion to dismiss. Motion denied. Sua sponte, respondent ordered to file an answer to the complaint within 14 days. Sua sponte, alternative writ granted. The following schedule is set for the presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 12.05: The parties shall file any evidence they intend to present within 20 days of the filing of the answer to the complaint or the deadline for filing the answer (whichever is earlier), relator shall file a brief within 10 days after the filing of the evidence, respondent shall file a brief within 20 days after the filing of relator's brief, and relator may file a reply brief within 7 days after the filing of respondent's brief.

Fischer, J., dissents.

2024-0184. State ex rel. Clark v. Dept. of Rehab. & Corr.

In Mandamus. On respondent's motion to dismiss. Motion denied. Sua sponte, respondent ordered to file an answer to the complaint within 14 days. Sua sponte, alternative writ granted. The following schedule is set for the presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 12.05: The parties shall file any evidence they intend to present within 20 days of the filing of the answer to the complaint or the deadline for filing the answer (whichever is earlier), relator shall

file a brief within 10 days after the filing of the evidence, respondent shall file a brief within 20 days after the filing of relator's brief, and relator may file a reply brief within 7 days after the filing of respondent's brief.

Fischer, J., dissents.

2024-0220. State ex rel. Mobley v. Viehweger.

In Mandamus. Sua sponte, alternative writ granted. The following schedule is set for the presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 12.05: The parties shall file any evidence they intend to present within 20 days, relator shall file a brief within 10 days after the filing of the evidence, respondent shall file a brief within 20 days after the filing of relator's brief, and relator may file a reply brief within 7 days after the filing of respondent's brief.

Fischer, J., dissents and would sua sponte dismiss the cause.

2024-0259. State ex rel. Baker v. Allen Cty. Sheriff's Office.

In Mandamus. On respondent's motion to dismiss. Motion denied. Sua sponte, respondent ordered to file an answer to the complaint within 14 days. Sua sponte, alternative writ granted. The following schedule is set for the presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 12.05: The parties shall file any evidence they intend to present within 20 days of the filing of the answer to the complaint or the deadline for filing the answer (whichever is earlier), relator shall file a brief within 10 days after the filing of the evidence, respondent shall file a brief within 20 days after the filing of relator's brief, and relator may file a reply brief within 7 days after the filing of respondent's brief.

Fischer, J., dissents.

2024-0340. Z.J. v. R.M.

Richland App. No. 2022 CA 0071, [2023-Ohio-3552](#). On review of order certifying a conflict. The court determines that a conflict exists. The parties shall brief the issue as stated on page 7 of the court of appeals' March 4, 2024 entry: "Whether R.C. 2903.211 (A)(1) requires a victim to actually experience mental distress or only believe that the stalker will cause the victim physical harm or mental distress, for a court to issue a civil stalking protection order." The conflict cases are *Smith v. Wunsch*, 162 Ohio App.3d 21, 2005-Ohio-3498, 832 N.E.2d 757 (4th Dist.), *Caban v. Ransome*, 7th Dist. Mahoning No. 08 MA 36, 2009-Ohio-1034, and *State v. Payne*, 178 Ohio App.3d 617, 2008-Ohio-5447, 899 N.E.2d 1011 (9th Dist.).

Donnelly, J., would recognize the conflict only as to *Smith* and *Caban*.

Brunner, J., would recognize the conflict only as to *Caban*.

2024-0364. State v. Rocubert.

Shelby App. No. 17-23-11, [2024-Ohio-395](#). On appellant's motion for stay of proceedings. Motion denied.

Donnelly and Brunner, JJ., dissent.

2024-0429. State v. Amero.

Portage App. No. 2020-P-0029, [2024-Ohio-1007](#). On appellant's motion for stay. Motion denied.

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

APPEALS ACCEPTED FOR REVIEW

2024-0164. State v. Thompson.

Franklin App. No. 22AP-321, [2023-Ohio-4805](#). Appeal accepted on proposition of law No. III.

Donnelly and Stewart, JJ., would also accept the appeal on proposition of law No. I.

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

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