

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

April 30, 2024

[Cite as *04/30/2024 Case Announcements, 2024-Ohio-1577.*]

MERIT DECISIONS WITHOUT OPINIONS

2024-0391. Justice v. Sell.

In Habeas Corpus. Amended petition deemed filed as of April 1, 2024, and petitioner's motion for leave to amend denied as moot. Sua sponte, cause dismissed.

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

Fischer, DeWine, and Stewart, JJ., concur but would deny the motion on the merits.

2024-0400. Richards v. Cleveland Police Dept.

In Habeas Corpus. Sua sponte, cause dismissed.

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

MOTION AND PROCEDURAL RULINGS

2024-0295. State v. Dykes.

Lake App. No. 2023-L-055, [2023-Ohio-4378](#). On motion for leave to file delayed appeal. Motion denied.

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

2024-0299. State v. Whitfield.

Lucas App. No. L-22-1259, [2023-Ohio-4579](#). On motion for leave to file delayed appeal. Motion denied. Appellant’s motion for appointment of counsel denied.

Fischer and Donnelly, JJ., dissent in part and would grant the motion for delayed appeal.

Brunner and Deters, JJ., would deny the motion for appointment of counsel as moot.

2024-0324. State v. Asadi-Ousley.

Cuyahoga App. No. 112734, [2023-Ohio-4322](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

Brunner and Deters, JJ., dissent.

Donnelly, J., not participating.

2024-0337. State v. Pulley.

Montgomery App. No. 29501, [2023-Ohio-3277](#). On “notice of leave to file motion.” Leave denied.

Donnelly and Brunner, JJ., dissent.

2024-0349. State v. Hall.

Cuyahoga App. No. 112626, [2023-Ohio-4539](#). 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 Stewart, J., dissent.

2024-0353. State v. Flenner.

Trumbull App. No. 2017-T-0054. On motion for leave to file delayed appeal. Motion denied.

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

APPEALS ACCEPTED FOR REVIEW

2024-0208. Huntington Natl. Bank v. Schneider.

Hamilton App. No. C-230072, [2023-Ohio-4813](#).

Fischer, J., not participating.

APPEALS NOT ACCEPTED FOR REVIEW

2023-1444. State v. Haines.

Ashtabula App. No. 2022-A-0106, [2023-Ohio-3016](#).

2023-1526. State v. Timm.

Delaware App. No. 21-CAA-11-0060, [2023-Ohio-3768](#).

Donnelly, J., dissents.

2024-0195. State v. Bullock.

Stark App. No. 2023CA00143.

2024-0202. G.A.I. Capital Group, L.L.C. v. Lisowski.

Mahoning App. No. 23 MA 0052, [2024-Ohio-1098](#).

2024-0209. State v. Camper.

Franklin App. No. 21AP-685, [2023-Ohio-4673](#).

Kennedy, C.J., dissents.

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

2024-0210. Fairview Park v. Bowman.

Cuyahoga App. No. 112300, [2023-Ohio-4210](#).

2024-0211. LVNV Funding, L.L.C. v. Culgan.

Crawford App. No. 3-23-31, [2023-Ohio-4706](#).

2024-0212. McCarthy v. Abraham.

Franklin App. No. 23AP-281, [2023-Ohio-4845](#).

2024-0215. Suhay v. Hall.

Ashtabula App. No. 2022-A-0062, [2023-Ohio-4869](#).

2024-0216. State v. Nealy.

Cuyahoga App. No. 112777, [2023-Ohio-4786](#).

2024-0224. M.F. v. Ohio State Univ. Med. Ctr.

Franklin App. No. 23AP-297, [2023-Ohio-4799](#).

2024-0226. Jardim v. Jardim.

Lucas App. No. L-23-1039, [2023-Ohio-4797](#).

2024-0227. Hunter v. Crumrine.

Ashland App. No. 23-COA-010, [2023-Ohio-4784](#).

2024-0230. State v. Gibson.

Cuyahoga App. No. 112160, [2023-Ohio-4792](#).

Donnelly and Brunner, JJ., dissent and would accept the appeal on proposition of law Nos. I and II.

2024-0239. State v. Homrighausen.

Tuscarawas App. No. 2023AP020008, [2024-Ohio-6](#).

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

2024-0246. Alford v. Adult Parole Auth.

Franklin App. No. 23AP-615.

2024-0248. Austell v. Bowie.

Hamilton App. No. C-240031.

Fischer, J., not participating.

2024-0249. State v. Gibson.

Butler App. No. CA2023-05-056, [2024-Ohio-120](#).

2024-0254. Cook v. Lockland.

Hamilton App. No. C-230281, [2024-Ohio-9](#).

Kennedy, C.J., dissents.

2024-0256. State v. Alexander.

Summit App. No. 30053, [2023-Ohio-3450](#).

Kennedy, C.J., dissents and would hold the cause for the decision in 2022-1449 and 2022-1458, *State v. Miree*.

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

2024-0261. State v. Wears.

Union App. No. 14-22-27, [2023-Ohio-4363](#).

2024-0263. State v. Simes.

Montgomery App. No. 29982. Appellant's motion to strike and disregard appellee's notice to appear denied.

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

2024-0285. State v. Short.

Franklin App. Nos. 22AP-543 and 22AP-544, [2024-Ohio-92](#).

DeWine and Deters, JJ., dissent.

2024-0307. State v. Bruce.

Belmont App. No. 23 BE 0009, [2024-Ohio-651](#). Appellant's motion to waive filing fee granted.

Fischer, DeWine, and Brunner, JJ., would deny the motion.

2024-0318. State v. Mason.

Muskingum App. No. CT2023-0080, [2024-Ohio-346](#).

2024-0319. State ex rel. Ames v. Portage Cty. Bd. of Commrs.

Portage App. No. 2023-P-0044, [2024-Ohio-146](#).

2024-0362. Bishop v. Cross Creek Twp. Police Dept.

Jefferson App. No. 23 JE 0013, [2024-Ohio-414](#).

2024-0369. State v. Reese.

Trumbull App. No. 2023-T-0060, [2024-Ohio-210](#).

Donnelly, J., dissents and would appoint counsel.

2024-0374. State v. Kirkbride.

Medina App. No. 22CA0077-M, [2024-Ohio-291](#).

RECONSIDERATION OF PRIOR DECISIONS

2019-1787. State v. Nicholson.

Cuyahoga C.P. No. CR-18-634069. Reported at __ Ohio St.3d __, [2024-Ohio-604](#), __ N.E.3d __. On motion for reconsideration. Motion denied.

Donnelly and Brunner, JJ., dissent in part and would grant the motion as to proposition of law Nos. 11, 12, 19, and 20.

2023-1454. M.E.D. v. P.K.

Cuyahoga App. No. 112070, [2023-Ohio-3471](#). Reported at 173 Ohio St.3d 1411, 2024-Ohio-642, 227 N.E.3d 1271. On motion for reconsideration. Motion denied.
Donnelly and Brunner, JJ., dissent.

2023-1489. State v. Jenkins.

Cuyahoga App. Nos. 109421 and 109434, [2023-Ohio-3622](#). Reported at 173 Ohio St.3d 1410, 2024-Ohio-597, 227 N.E.3d 1278. On motion for reconsideration. Motion denied.
Donnelly and Brunner, JJ., dissent.
Stewart, J., not participating.

2023-1492. State v. Jenkins.

Cuyahoga App. No. 109434, [2023-Ohio-3622](#). Reported at 173 Ohio St.3d 1411, 2024-Ohio-597, 227 N.E.3d 1279. On motion for reconsideration. Motion denied.
Donnelly and Brunner, JJ., dissent.
Stewart, J., not participating.

2023-1546. White v. Salem.

Lake App. No. 2023-L-065, [2023-Ohio-3839](#). Reported at 173 Ohio St.3d 1404, 2024-Ohio-555, 227 N.E.3d 1264. On motion for reconsideration. Motion denied.

2023-1552. State v. Cunningham.

Portage App. No. 2021-P-0049, [2023-Ohio-3300](#). Reported at 173 Ohio St.3d 1404, 2024-Ohio-555, 227 N.E.3d 1260. On motion for reconsideration. Motion denied.
Donnelly and Stewart, JJ., dissent.

2023-1571. State v. Alexander.

Lucas App. No. L-22-1183, [2023-Ohio-2708](#). Reported at 173 Ohio St.3d 1404, 2024-Ohio-555, 227 N.E. 1265. On motion for reconsideration of decision not to accept appeal for review. Motion denied.
Stewart, J., not participating.

2023-1627. Atlas Indus. Contrs., L.L.C. v. Andrews.

Franklin App. No. 23AP-465. Reported at 173 Ohio St.3d 1405, 2024-Ohio-555, 227 N.E.3d 1267. On motion for reconsideration. Motion denied.

2024-0067. State ex rel. Peterson v. Reynolds.

In Habeas Corpus. Reported at 173 Ohio St.3d 1419, 2024-Ohio-763, 229 N.E.3d 113. On motion for reconsideration. Motion denied.