

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

February 13, 2024

[Cite as *02/13/2024 Case Announcements*, 2024-Ohio-523.]

MERIT DECISIONS WITH OPINIONS

2022-1255. State v. Maxcy-Tipton, Slip Opinion No. 2024-Ohio-448.

Wood App. No. WD-22-003, [2022-Ohio-3502](#). Judgment affirmed on the authority of *State v. Daniel*, __ Ohio St.3d __, 2023-Ohio-4035, __ N.E.3d __.

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

Fischer and Brunner, JJ., concur in judgment only for the reasons set forth in their separate opinions in *Daniel*.

Donnelly, J., dissents.

2022-1637. State v. Heflin, Slip Opinion No. 2024-Ohio-449.

Wood App. No. WD-22-006. Judgment affirmed on the authority of *State v. Daniel*, __ Ohio St.3d __, 2023-Ohio-4035, __ N.E.3d __, and *State v. Hacker*, __ Ohio St.3d __, 2023-Ohio-2535, __ N.E.3d __.

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

Fischer and Brunner, JJ., concur in judgment only for the reasons set forth in their separate opinions in *Daniel*.

Donnelly, J., dissents.

2023-0810. State v. Hall, Slip Opinion No. 2024-Ohio-450.

Sandusky App. No. S-22-016. Judgment affirmed on the authority of *State v. Daniel*, __ Ohio St.3d __, 2023-Ohio-4035, __ N.E.3d __, and *State v. Hacker*, __ Ohio St.3d __, 2023-Ohio-2535, __ N.E.3d __.

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

Fischer and Brunner, JJ., concur in judgment only for the reasons set forth in their separate opinions in *Daniel*.

Donnelly, J., dissents.

MOTION AND PROCEDURAL RULINGS

2024-0011. Solon v. Butz.

Stark App. No. 2023CA00078. On appellant's motion to strike for failure to provide service. Motion denied. Appellant may file a response to appellees' motion to dismiss within ten days.

2024-0146. Geis v. Markling.

Summit App. No. 30494. On appellant's request for mediation. Request denied.

MISCELLANEOUS DISMISSALS

2023-1135. Miller v. Mission Essential Group, L.L.C.

Franklin App. Nos. 22AP-448 and 22AP-449, [2023-Ohio-3077](#). On appellant's application for dismissal. Application granted. Cause dismissed.

2023-1290. State ex rel. Fenstermaker v. Drake.

In Mandamus. Relator has not filed a merit brief, due February 9, 2024, in compliance with the Rules of Practice of the Supreme Court of Ohio and therefore has failed to prosecute this cause with the requisite diligence. Cause dismissed.

2023-1604. Byerly v. Cashiers Office.

Marion App. No. 9-23-54. Appellant has not filed a merit brief, due February 5, 2024, in compliance with the Rules of Practice of the Supreme Court of Ohio and therefore has failed to prosecute this cause with the requisite diligence. Cause dismissed.

MEDIATION MATTERS

Pursuant to R.C. 2710.06(B)(1), the court has been notified that the parties in the following cases have reached a settlement. The cases are returned to the regular docket under S.Ct.Prac.R. 19.01.

2023-1300. State ex rel. Mauk v. Sheldon.

In Mandamus. Relator shall file either an application for dismissal or a notice of failure of settlement within 60 days. This case will be dismissed for want of

prosecution if an application for dismissal or a notice of failure of settlement is not filed within 60 days.

2023-1360. Tolento v. Fostoria.

In Mandamus. Relator shall file either an application for dismissal or a notice of failure of settlement within 60 days. This case will be dismissed for want of prosecution if an application for dismissal or a notice of failure of settlement is not filed within 60 days.

The court refers the following cases to mediation under S.Ct.Prac.R. 19.01 and stays all filing deadlines for each case until further order of this court. The court will not issue any decision on the merits in these cases until mediation has concluded.

2024-0201. State ex rel. Castellon v. Rose.

In Mandamus.

2024-0203. State ex rel. Castellon v. O'Malley.

In Mandamus.

The court returns the following case to the regular docket under S.Ct.Prac.R. 19.01. Respondent shall file a response to the complaint within 21 days.

2023-0936. State ex rel. Huwig v. Ohio Dept. of Health.

In Mandamus.