

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

March 19, 2024

[Cite as *03/19/2024 Case Announcements, 2024-Ohio-984.*]

MERIT DECISIONS WITHOUT OPINIONS

2024-0189. State v. Love.

In Habeas Corpus. Sua sponte, cause dismissed.

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

2024-0191. Hull v. State.

In Habeas Corpus. Petitioner's motion for appointment of counsel denied. Petitioner's amended petition for writ stricken under the Civil Rules. Sua sponte, cause dismissed.

DeWine, Donnelly, Stewart, and Deters, JJ., concur.

Kennedy, C.J., concurs but would not strike the amended petition.

Fischer, J., concurs but would strike the amended petition also under the Supreme Court Rules of Practice.

Brunner, J., concurs because Civ.R. 15(E) requires leave of court to file a supplemental pleading and no such leave was obtained to file the amended petition.

2024-0193. Hogan v. Swartz.

In Habeas Corpus. Sua sponte, cause dismissed. Petitioner's motion for emergency hearing and review denied as moot.

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

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

MOTION AND PROCEDURAL RULINGS

2024-0082. State v. Allen.

Stark App. No. 2022 CA 00151, [2023-Ohio-3739](#). 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 and Brunner, JJ., dissent.

2024-0083. State v. Morris.

Hardin App. No. 6-23-04, [2023-Ohio-4021](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

Fischer, DeWine, and Deters, JJ., dissent.

2024-0109. State v. Butler.

Montgomery App. No. 29754, [2023-Ohio-3504](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

2024-0127. State v. Denson.

Hamilton App. No. C-220208, [2023-Ohio-847](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

Fischer, J., dissents.

DeWine and Deters, JJ., not participating.

APPEALS ACCEPTED FOR REVIEW

2024-0005. State v. Clinkscale.

Franklin App. No. 22AP-708, [2023-Ohio-4146](#).

Donnelly and Stewart, JJ., dissent.

Brunner, J., not participating.

2024-0031. Ohio Council 8, AFSCME, AFL-CIO v. Lakewood.

Cuyahoga App. No. 112456, [2023-Ohio-4212](#).

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

2024-0087. State v. Coker.

Wood App. No. WD-22-054, [2023-Ohio-4339](#).

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

APPEALS NOT ACCEPTED FOR REVIEW

2023-1617. State v. Jackson.

Lake App. No. 2023-L-021, [2023-Ohio-4368](#). Appeal and cross-appeal not accepted.

Kennedy, C.J., and DeWine, J., dissent in part and would accept the appeal.

Deters, J., dissents in part and would accept the appeal on appellant/cross-appellee's proposition of law No. I.

2023-1635. Co., Inc. v. Capstone Constr. Co., L.L.C.

Cuyahoga App. No. 112539, [2023-Ohio-3882](#).

2023-1639. State v. Taylor.

Richland App. No. 2022 CA 0007, [2023-Ohio-4160](#).

2023-1642. State v. Tumblin.

Coshocton App. No. 2023CA0013, [2023-Ohio-4099](#).

2023-1643. Irving J. Franklin Realty, Inc. v. E. Cleveland.

Cuyahoga App. No. 112643, [2023-Ohio-4419](#).

2023-1644. State v. Coriell.

Muskingum App. No. CT2023-0011, [2023-Ohio-4113](#).

2023-1645. Reigert v. State Med. Bd.

Franklin App. Nos. 23AP-310 and 23AP-316, [2023-Ohio-4557](#).

2024-0003. State v. Thomas.

Hamilton App. No. C-230271.

Deters, J., not participating.

2024-0010. Jenkins v. Dragoo & Assoc., Inc.

Franklin App. No. 22AP-564, [2023-Ohio-4103](#).

2024-0019. Columbus v. S. German Village Med. Ctr.
Franklin App. No. 23AP-692.

2024-0023. State v. Bishop.
Jefferson App. No. 18 JE 0005, [2023-Ohio-4511](#).

2024-0025. Dept. of Taxation v. Barney.
Franklin App. No. 23AP-220, [2023-Ohio-4282](#).

2024-0027. Pakeer v. Cleveland.
Cuyahoga App. No. 112489, [2023-Ohio-4213](#).

2024-0030. In re C.G.
Lucas App. No. L-23-1007, [2023-Ohio-4239](#).

2024-0032. In re Estate of Carte v. Bringardner.
Franklin App. No. 22AP-787, [2023-Ohio-4286](#).

2024-0037. In re A.C.J.
Cuyahoga App. No. 112745, [2023-Ohio-4218](#).

2024-0038. In re J.F.
Butler App. No. CA2023-06-065, [2023-Ohio-4244](#).

2024-0041. Viola v. Kasaris.
Cuyahoga App. Nos. 112497 and 113022. Joint motion to dismiss denied as moot.
Kennedy, C.J., would deny the motion on the merits.
Fischer, Stewart, and Deters, JJ., would grant the motion.

2024-0043. State v. Horsley.
Pickaway App. No. 99CA33.

2024-0055. State v. Dumas.
Morrow App. No. 2023 CA 0002, [2023-Ohio-4298](#).

2024-0100. State v. Elliott.
Trumbull App. Nos. 2023-T-0042 and 2023-T-0043, [2023-Ohio-4377](#).

2024-0129. State v. Honzu.
Trumbull App. Nos. 2022-T-0122 and 2023-T-0006, [2023-Ohio-2833](#).

2024-0135. Schmaltz v. Mark Wahlberg Chevrolet of Worthington, Ohio.

Franklin App. No. 22AP-783, [2023-Ohio-4293](#). Appellant's motion for order of contempt denied. Appellee's motion to strike denied.

Kennedy, C.J., and Deters, J., would deny the motion to strike as moot.

DeWine, J., would deny both motions as moot.

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

2024-0143. Ladd v. Planchak.

Montgomery App. No. 29830, [2024-Ohio-24](#).

2024-0144. State v. Sowders.

Hamilton App. No. C-230153, [2023-Ohio-4498](#).

Deters, J., not participating.

2024-0145. State v. Johnson.

Cuyahoga App. Nos. 112387 and 112462, [2023-Ohio-4531](#).

2024-0167. State v. Rainey.

Hamilton App. No. C-230055, [2023-Ohio-4666](#).

Fischer and Deters, JJ., not participating.

2024-0177. State v. Johnson.

Mahoning App. No. 22 MA 0068, [2023-Ohio-4734](#).

2024-0270. State v. Hall.

Brown App. No. CA2023-07-009. Appellant's motion for stay denied as moot.

Kennedy, C.J., would deny the motion on the merits.

Fischer and Donnelly, JJ., dissent.

RECONSIDERATION OF PRIOR DECISIONS

2023-1470. Jabr v. Franklin Cty. Mun. Court, Criminal Div.

In Mandamus. Reported at 172 Ohio St.3d 1470, [2024-Ohio-202](#), 225 N.E.3d 1041. On motion for reconsideration. Motion denied.