

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

January 22, 2025

[Cite as *01/22/2025 Case Announcements, 2025-Ohio-156.*]

MERIT DECISIONS WITHOUT OPINIONS

2024-1289. State v. Doogs.

In Mandamus. On respondent's motion to dismiss. Motion granted. Relator's motion in limine in response to motion to dismiss denied. Relator's motion to strike and demand for disclosure of authority denied. Cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Brunner, Deters, Hawkins, and Shanahan, JJ., concur.

2024-1343. State ex rel. Barr v. Ruebensaal.

In Mandamus. On relator's motion for default judgment. Motion denied. Relator's motion to strike notice of appearance denied. Cause dismissed pursuant to S.Ct.Prac.R. 12.04.

Fischer, Deters, Hawkins, and Shanahan, JJ., concur.

Kennedy, C.J., and DeWine and Brunner, JJ., concur in part and dissent in part and would issue an alternative writ.

2024-1367. State ex. rel. Sanders v. First Dist. Court of Appeals.

In Prohibition. On relator's motion to consolidate case Nos. 2024-1367 and 2024-1368. Motion denied. Relator's motion to drop parties as not real parties in interest and motion to add respondents to complaints denied. Relator's motion for leave to amend complaint and affidavits granted. Respondents' motion to dismiss amended complaint granted. Cause dismissed.

Kennedy, C.J., and Fischer, DeWine, and Hawkins, JJ., concur.

Brunner, J., concurs but would deny the motion to drop parties and the motion to add respondents as moot.

Deters and Shanahan, JJ., concur but would deny the motion to add respondents as moot.

2024-1368. State ex. rel. Sanders v. First Dist. Court of Appeals.

In Mandamus. On relator's motion for leave to amend complaint and affidavits granted. Respondents' motion to dismiss amended complaint granted. Relator's motion to drop parties as not real parties in interest and motion to add respondents to complaints. Motions denied as moot. Cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Brunner, Deters, Hawkins, and Shanahan, JJ., concur.

2024-1376. Smith v. State.

Miscellaneous case. On respondents' amended motion to dismiss. Motion granted. Cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Brunner, Deters, Hawkins, and Shanahan, JJ., concur.

2024-1392. Cowan v. State.

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

Kennedy, C.J., and Fischer, DeWine, Brunner, Deters, Hawkins, and Shanahan, JJ., concur.

2024-1398. Cameron v. Ohio Bd. of Edn., Office for Exceptional Children.

Miscellaneous case. On respondents' motions to dismiss. Motions granted. Relator's "motion to deny respondents' dismissal of case" denied.

Kennedy, C.J., and Fischer, DeWine, Brunner, Deters, Hawkins, and Shanahan, JJ., concur.

2024-1400. Clark v. Ginther.

In Mandamus. On motions to dismiss of respondents Governor Mike DeWine and Attorney General Dave Yost and respondent Columbus Mayor Andrew Ginther. Motions granted. Relator’s corrected motion to transfer venue, motion to consolidate multiple writs pending motion to transfer, request for findings of fact and conclusions of law, “amended notice of demand to strike federal notice of vexation and demand for bill of particulars, discovery, and statement of facts with sworn affidavit or oath under penalty of perjury,” “motion under Rule 60(b),” and motion to introduce Exhibits A through E into evidence denied as moot. Sua sponte, cause dismissed as to remaining respondents. Cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Brunner, Deters, Hawkins, and Shanahan, JJ., concur.

2024-1408. State ex rel. Rodriguez v. Musson.

In Mandamus. On respondent’s motion to dismiss. Motion granted. Relator’s motion for court order compelling respondent to provide requested records, motion for statutory damages, and motion to enforce proof of service denied. Cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Deters, Hawkins, and Shanahan, JJ., concur.

Brunner, J., dissents and would allow relator additional time to respond to respondent’s motion and would defer ruling on relator’s motions.

2024-1420. Clark v. O’Shaughnessy.

In Mandamus and Prohibition. On respondents’ motions to dismiss. Motions granted. Relator’s motion to consolidate, request for findings of fact and conclusions of law, “motion under Rule 60(b),” “second motion under Rule 60(B),” and motion to introduce Exhibit A into evidence denied as moot. Cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Brunner, Deters, Hawkins, and Shanahan, JJ., concur.

2024-1421. State ex rel. Pinckney v. Towell.

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

Kennedy, C.J., and Fischer, DeWine, Brunner, Deters, Hawkins, and Shanahan, JJ., concur.

2024-1422. Allen v. Dept. of Rehab. & Corr.

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

Kennedy, C.J., and DeWine, Brunner, Deters, Hawkins, and Shanahan, JJ., concur.

Fischer, J., dissents and would issue an alternative writ.

2024-1448. Clark v. Mackey.

In Mandamus and Prohibition. On motion to dismiss of respondents Franklin County Probate Court Judge Jeffrey D. Mackey, Magistrate Maureen Duffy, Monica Harris, Eric Horvath, and Melissa Kaufman. Motion granted. Relator's request for findings of fact and conclusions of law and "motion under Rule 60(B)" denied as moot. Sua sponte, cause dismissed as to respondent Christopher Sigmill. Cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Brunner, Deters, Hawkins, and Shanahan, JJ., concur.

2024-1451. State ex rel. Robinson v. Price.

In Mandamus. On respondent's motion to dismiss and motion to declare relator a vexatious litigator. Motions granted. Accordingly, Jackie N. Robinson prohibited from continuing or instituting legal proceedings in this court without first obtaining leave. Any request for leave shall be submitted to the clerk of this court for the court's review. Relator's motion for certification of court documents, motion for relief from judgment, and motion for certification of Supreme Court docket denied. Cause dismissed.

Fischer, DeWine, Hawkins, and Shanahan, JJ., concur.

Kennedy, C.J., and Brunner and Deters, JJ., concur in part and dissent in part and would deny the motion to declare relator a vexatious litigator.

2024-1452. State ex rel. Nixon v. Portage Cty. Sheriff's Office, Records Div.

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

Fischer, DeWine, Brunner, Deters, Hawkins, and Shanahan, JJ., concur.

Kennedy, C.J., dissents and would issue an alternative writ.

2024-1467. State ex rel. Henderson v. New Holland.

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

Fischer, DeWine, Deters, Hawkins, and Shanahan, JJ., concur.

Kennedy, C.J., and Brunner, J., dissent and would issue an alternative writ.

2024-1485. State ex rel. Williams v. State.

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

Kennedy, C.J., and Fischer, DeWine, Brunner, Deters, Hawkins, and Shanahan, JJ., concur.

2024-1490. Smith v. State.

Miscellaneous case. On respondents' motion to dismiss. Motion granted. Cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Brunner, Deters, Hawkins, and Shanahan, JJ., concur.

2024-1493. State ex rel. Norment v. Plank.

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

Kennedy, C.J., and Fischer, DeWine, Brunner, Deters, Hawkins, and Shanahan, JJ., concur.

2024-1499. Onunwor v. Sutula.

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

Kennedy, C.J., and Fischer, DeWine, Brunner, Deters, Hawkins, and Shanahan, JJ., concur.

2024-1502. Clark v. Holbrook.

In Mandamus. On respondent's motion to dismiss. Motion granted. Relator's "motion under Rule 60(b)" denied. Cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Brunner, and Deters, JJ., concur. Hawkins and Shanahan, JJ., concur but would dismiss the cause sua sponte.

2024-1503. Baker v. Preston.

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

Kennedy, C.J., and Fischer, DeWine, Deters, Hawkins, and Shanahan, JJ., concur.

Brunner, J., concurs but would dismiss the cause for failure to perfect service.

2024-1508. Clark v. Tyack.

In Mandamus and Procedendo. On respondents' motions to dismiss. Motions granted. Cause dismissed.

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

DeWine, Hawkins, and Shanahan, JJ., concur but would dismiss the cause sua sponte and deny the motions as moot.

2024-1514. State ex rel. Williams v. Zayas.

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

Kennedy, C.J., and DeWine, Brunner, Deters, Hawkins, and Shanahan, JJ., concur.

Fischer, J., not participating.

2024-1539. Clark v. Emmerling.

In Mandamus. On respondents' motion to dismiss. Motion granted. Relator's "motion under Rule 60(b)" denied. Cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Brunner, Deters, Hawkins, and Shanahan, JJ., concur.

2024-1540. State ex rel. Cook v. Boyer.

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

Kennedy, C.J., and Fischer, DeWine, Brunner, Deters, Hawkins, and Shanahan, JJ., concur.

2024-1543. State ex rel. Nix v. Hartshorne.

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

Fischer, DeWine, Deters, Hawkins, and Shanahan, JJ., concur.

Kennedy, C.J., and Brunner, J., dissent and would issue an alternative writ.

2024-1544. Tomlinson v. Delaware Cty. Probation Dept., Child Support Agency.

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

Kennedy, C.J., and Fischer, DeWine, Brunner, Deters, Hawkins, and Shanahan, JJ., concur.

2024-1549. State ex rel. Johnson v. Eighth Dist. Court of Appeals.

In Mandamus. On relator's motion for leave to file revised complaint. Motion granted. Respondents' motion to dismiss revised complaint granted. Cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Hawkins, and Shanahan, JJ., concur.

Brunner and Deters, JJ., concur but would dismiss the revised complaint sua sponte and deny respondents' motion as moot.

2024-1584. Clark v. Brollier.

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

Kennedy, C.J., and Fischer, DeWine, Brunner, Deters, Hawkins, and Shanahan, JJ., concur.

2024-1588. Clark v. Gallagher.

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

Kennedy, C.J., and Fischer, DeWine, Brunner, Deters, Hawkins, and Shanahan, JJ., concur.

2024-1624. State ex rel. Castleberry v. Madison Cty. Common Pleas Court.

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

Kennedy, C.J., and Fischer, DeWine, Brunner, Deters, Hawkins, and Shanahan, JJ., concur.

MOTION AND PROCEDURAL RULINGS

2023-1242. State v. Turner.

Cuyahoga App. No. 111808, [2023-Ohio-2874](#). On appellee's motion to dismiss. Motion denied.

2024-0863. Arnoff v. Cool.

In Mandamus. On relator's objection to prevent a manifest injustice and request for findings of fact and conclusions of law. Objection and request denied.

Hawkins, J., would deny the objection and request as moot.

2024-1007. State ex rel. Robinson v. Meisenbach.

In Mandamus. On relator's motion for statutory damages. Motion denied as moot. Kennedy, C.J., and Fischer and Hawkins, JJ., would deny the motion on the merits.

2024-1031. Onunwor v. State.

In Mandamus. On relator's motion for relief from judgment. Motion denied.

2024-1058. State v. Smith.

Hamilton App. Nos. C-230022 and C-230023, [2024-Ohio-2187](#). Sua sponte, cause no longer held for the decision in 2023-0654, *State v. Glover*. Sua sponte, cause held for the decision in [2024-0312](#), *State v. Polizzi*.

Fischer and Deters, JJ., not participating.

2024-1428. State ex rel. Harris v. Starcher.

In Mandamus. On respondents' motion for judgment on the pleadings. Motion denied. 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 court's entry, relator shall file a brief within 30 days of the court's entry, respondents 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 respondents' brief.

2024-1454. State ex rel. Harris v. Plank.

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 of the court's entry, relator shall file a brief within 30 days of the court's entry, respondents 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 respondents' brief.

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

2024-1460. State ex rel. Wooden v. Dept. of Rehab. & Corr.

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 of the court's entry, relator shall file a brief within 30 days of the court's entry, 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.

2024-1464. State v. Fontanez.

Cuyahoga App. No. 113105, [2024-Ohio-4579](#). On review of order certifying a conflict. The court determines that a conflict exists. The parties are to brief the issue as stated on the second page of the court of appeals' September 20, 2024 entry: "Does a trial court completely fail to comply with Crim.R. 11(C)(2) so as to render a guilty plea invalid when it fails to explicitly state that [a] guilty plea constitutes a complete admission of guilt[] where the trial court otherwise complies with the requirements of Crim.R. 11(C)(2), the admission of guilt is obvious from the context of the plea colloquy, and the defendant does not assert actual innocence?" The conflict cases are *State v. Fox*, [2024-Ohio-349](#) (5th Dist.), and *State v. Dumas*, [2024-Ohio-2731](#) (2d Dist.).

2024-1491. State ex rel. Ellis v. Dept. of Rehab. & Corr.

In Mandamus. On motion to dismiss of the State of Ohio and respondents Department of Rehabilitation and Correction, John Grzincic, M. Roche, and E. Shepherd. Motion denied. Motion to dismiss of CoreCivic, Inc., et al. granted as to the individual respondent-employees of the Northeast Ohio Correctional Center ("NEOCC") and denied as to respondents CoreCivic, Inc., and NEOCC. Motion to dismiss of respondents Trinity Services Group, Inc., and R. Ward denied. Relator's motion for leave to file a revised complaint denied. Sua sponte, alternative writ granted except as to the individual respondent-employees of NEOCC. 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 court's entry, relator shall file a brief within 30 days of the court's entry, respondents 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 respondents' brief.

Kennedy, C.J., and Brunner, J., dissent in part and would deny the motion to dismiss of respondents CoreCivic, Inc., et al. as to all respondents.

Fischer, J., dissents in part and would grant the motions to dismiss as to all respondents.

2024-1518. State v. Shiffert.

Ottawa App. No. OT-23-036, [2024-Ohio-4952](#). On appellant's motion for stay of judgment pending appeal. Motion denied.

2024-1542. State ex rel. Howard v. Chief Inspector's Office.

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 of the court's entry, relator shall file a brief within 30 days of the court's entry, 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, DeWine, and Hawkins, JJ., dissent and would sua sponte dismiss the cause.

2024-1563. State ex rel. Ames v. Big Walnut Local School Dist. Bd. of Edn.

In Mandamus. On relator's motion for in camera inspection. Motion denied. 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 court's entry, relator shall file a brief within 30 days of the court's entry, 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.

Deters and Shanahan, JJ., would sua sponte order submission of the records for in camera inspection.

2024-1595. State ex rel. Ross v. Warden's Adm. Assistant.

In Mandamus. On relator's motion to clarify and amend certificate of service. Motion granted. 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 court's entry, relator shall file a brief within 30 days of the court's entry, respondents 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 respondents' brief.

Fischer, J., dissents and would sua sponte dismiss the cause and deny the motion as moot.

2024-1616. State ex rel. Ames v. Big Walnut Local School Dist. Bd. of Edn.

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 of the court's entry, relator shall file a brief within 30 days of the court's entry, 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.

APPEALS NOT ACCEPTED FOR REVIEW

2024-1536. State v. Fontanez.

Cuyahoga App. No. 113105, [2024-Ohio-4579](#).

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