

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

February 26, 2025

[Cite as *02/26/2025 Case Announcements, 2025-Ohio-598.*]

MERIT DECISIONS WITH OPINIONS

2024-0586 and 2024-0670. State v. Green, Slip Opinion No. 2025-Ohio-591.

Marion App. No. 9-22-13, [2023-Ohio-4360](#). Causes dismissed as having been improvidently certified and accepted. Appellant’s motion to “unconsolidate,” lift stay, and order briefing denied as moot.

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

Brunner, J., concurs in part and dissents in part and would lift the stay of the briefing schedule in case No. 2024-0670 and order the parties to brief that case.

2024-1318. Krouskoupf v. Muskingum Cty. Common Pleas Court, Slip Opinion No. 2025-Ohio-585.

Muskingum App. No. CT2024-0098. Judgment affirmed.

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

MERIT DECISIONS WITHOUT OPINIONS

2024-1390. State ex rel. Tapia v. Munson.

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.

2024-1471. State ex rel. Clark v. Marbley.

In Mandamus and Procedendo. On motions to dismiss of respondents Chief Justice Sharon L. Kennedy et al., Lisa Pierce Reisz et al., Kent Marcus, Franklin County Court of Common Pleas Judge Karen Phipps et al., Franklin County Court of Common Pleas Judge Chris Brown et al., Kristi Williams et al., Karen Gaster et al., Bryan Lee and Mark Tucker, and Elizabeth Wilson and Adam Eigensee. Motions granted. Amended motion to dismiss of respondents Tate Wooding et al. granted. Relator's "motion under Rule 60(B)" denied. Sua sponte, cause dismissed as to remaining respondents. Cause dismissed.

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

2024-1474. State ex rel. Clark v. Marbley.

In Mandamus and Procedendo. On motions to dismiss of respondents Lisa Pierce Reisz et al., Kent Marcus, Franklin County Court of Common Pleas Judge Karen Phipps et al., Franklin County Court of Common Pleas Judge Chris Brown et al., Kristi Williams et al., Karen Gaster et al., Greg Mansell et al., Bonnie Kristan, Bryan Lee and Mark Tucker, Edward Forman and John Marshall, Trisha Breedlove, Rebekka Evans, and Elizabeth Wilson and Adam Eigensee. Motions granted. Amended motion to dismiss of respondents Tate Wooding et al. granted. Motion of respondents Brian Spitz, Trisha Breedlove, and Greg Shumaker to declare relator a vexatious litigator denied as moot; relator was declared to be a vexatious litigator in [2024-1362](#), *Clark v. Nagel*. Relator's "motion under Rule 60(B)" denied. Sua sponte, cause dismissed as to remaining respondents. Cause dismissed.

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

2024-1532. State ex rel. Jozef v. Clark Cty. Mun. Court.

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

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

2024-1575. State ex rel. Sadosky v. Hightower.

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

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

2024-1580. Henderson v. Cuyahoga Cty. Dept. of Children & Family Servs.

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.

2024-1598. State ex rel. Spears v. Toledo Corr. Inst.

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.

2024-1629. Tyson v. Carter.

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

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

2024-1630. State ex rel. Majid v. Eighth Dist. Court of Appeals.

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

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

2024-1631. Tyson v. Spells.

Miscellaneous case. On motion to dismiss of respondents Dayton Municipal Court Judge Mia Spells and Magistrate Ebony Wreh. Motion granted. Sua sponte, cause dismissed as to respondent United States District Court Judge Thomas M. Rose. Cause dismissed.

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

2024-1644. State ex rel. Smith v. Portage Cty. Sheriff's Dept.

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.

2024-1645. State ex rel. Howard v. Willamowski.

In Mandamus and Prohibition. On relator's motion for an emergency peremptory writ, motion for a stay in Marion C.P. No. 2023-CV-339, and motion for a stay in Marion App. No. 9-24-036. Motions denied. Relator's request for leave to conduct limited discovery denied as moot. Motions to dismiss of respondents Marion County Court of Common Pleas Magistrate Michael C. Bear, Judge Matthew P. Frericks, and Judge John R. Willamowski et al. granted. Motions of respondent Magistrate Bear to declare relator a vexatious litigator and for sanctions denied. Relator's request for an order commanding compliance denied. Cause dismissed.

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

Fischer, J., concurs in part and dissents in part and would grant Magistrate Bear's motions to declare relator a vexatious litigator and for sanctions.

DeWine and Shanahan, JJ., concur in part and dissent in part and would grant Magistrate Bear's motion to declare relator a vexatious litigator.

2024-1650. State ex rel. Spears v. Toledo Corr. Inst.

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

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

2024-1655. Spitzer Autoworld Akron, L.L.C. v. Fred Martin Motor Co.

Summit App. Nos. 30624 and 30643, [2024-Ohio-3394](#). On review of order certifying a conflict. The court determines that no conflict exists. Cause dismissed.

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

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

2024-1656. State ex rel. Clark v. Cocroft.

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

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

Hawkins, J., not participating.

2024-1662. State ex rel. Ward v. Wallace.

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.

2024-1664. State ex rel. Jones v. Adult Parole Auth.

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

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

2024-1674. State ex rel. Hughes v. Allen.

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

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

2024-1676. State ex rel. Suggs v. Watson.

In Mandamus. On respondent's motion for judgment on the pleadings. Motion denied. Cause dismissed pursuant to S.Ct.Prac.R. 12.04.

Kennedy, C.J., and Deters, J., concur.

Fischer, Brunner, and Hawkins, JJ., concur in part and dissent in part and would grant the motion.

DeWine and Shanahan, JJ., concur in part and dissent in part and would issue an alternative writ.

2024-1681. State ex rel. Clark v. Yost.

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

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

2024-1686. State ex rel. Saunders v. State.

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

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

2024-1690. State ex rel. Clark v. O'Malley.

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.

2024-1707. State ex rel. Tapia v. Collins.

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.

2024-1726. State ex rel. Clark v. Sutton.

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.

2024-1738. State ex rel. Young v. Gall.

In Prohibition. 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

2023-0997. State v. Grate.

Ashland App. No. 22-COA-029, [2023-Ohio-2103](#). On appellant's motion for order or relief. Motion denied.

Brunner, J., dissents.

2023-1368. McDonald v. Stuff.

In Habeas Corpus. On petitioner's motion for Civ.R. 7(A) and/or 60(A) relief or, in the alternative, nunc pro tunc order. Motion denied.

2024-0458. State v. Bostick.

Cuyahoga App. No. 112437, [2023-Ohio-3631](#). On appellant's motion to supplement record. Motion granted. The clerk of the Cuyahoga County Court of

Appeals is ordered to supplement the record with the certified trial transcript from Cuyahoga C.P. No. CR-02-424063 within ten days of the date of this court's entry.

2024-0918. State ex rel. Penland v. Aramark Corr. Serv., L.L.C.

In Mandamus. On respondent's motion to dismiss revised verified complaint. 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.

Hawkins, J., dissents.

Fischer, J., not participating.

2024-1237. Byerly v. Frederick.

In Habeas Corpus. On petitioner's request for leave to file a motion to vacate sentence with prejudice. Request denied.

2024-1353. State v. Littlepage.

Hamilton App. No. C-230368, [2024-Ohio-2231](#). On appellant's request for findings of fact and conclusion of law. Request denied.

Fischer, J., not participating.

2024-1425. State ex rel. Springfield City School Dist. Bd. of Edn. v. Hamilton.

In Mandamus. On respondent's 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, 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.

2024-1505. In re Application of Duke Energy Ohio, Inc.

Public Utilities Commission, Nos. 22-507-GA-AIR, 22-508-GA-ALT, 22-509-GA-ATA, and 22-510-GA-AAM. On intervening appellee's motion to stay briefing schedule. Motion denied.

Hawkins and Shanahan, JJ., dissent.

Deters, J., not participating.

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

In Prohibition. On relator's motion to request investigations, motion to dismiss all claims of respondent-appellee, motion to strike the record, motion to disqualify counsel in a timely manner, motion for leave to file a revised complaint, and motion for protection order. Motions denied as moot.

2024-1556. State ex rel. Rankey v. Schiffel.

In Mandamus. On relator's motion for issuance of peremptory writ. Motion denied.

2024-1586. State ex rel. Luikart v. Washington Court House.

In Mandamus. On respondent's amended 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, 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. Relator's motion to strike denied.

Fischer and Deters, JJ., dissent in part and would grant respondent's amended motion.

2024-1606. State v. Menifield.

Stark App. No. 2023CA00137, [2024-Ohio-2981](#). On appellant's motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

2024-1651. State v. Durham.

Tuscarawas App. No. 2023 AP 10 0050, [2024-Ohio-3289](#). On appellant's motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

Fischer, J., dissents.

2024-1653. State ex rel. Clark v. Dept. of Rehab. & Corr.

In Mandamus. On respondent's motion for partial judgment on the pleadings. Motion granted. Sua sponte, alternative writ granted as to remainder of the complaint. 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.

DeWine, J., would limit the alternative writ to records request Nos. 2 and 3.

Fischer, J., dissents in part and would sua sponte dismiss the remainder of the complaint.

2024-1658. State v. Seymour.

Franklin App. No. 22AP-721, [2024-Ohio-5179](#). On review of order certifying a conflict. The court determines that a conflict exists. The parties are to brief the issue as stated in [2024-Ohio-5179](#), ¶ 50 (10th Dist.): “Whether there is sufficient evidence to support convictions for involuntary manslaughter under R.C. 2925.02(A)(3) and corrupting another with drugs under R.C. 2903.04(A) when the use of the controlled substance was a contributing, but not a ‘but-for,’ cause of the mixed-drug overdose death.” The conflict case is *State v. Carpenter*, [2019-Ohio-58](#) (3d Dist.). Cause consolidated with [2024-1732](#), *State v. Seymour*.

2024-1689. State ex rel. Hambel v. Franklin Cty. Prosecutor'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, 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.

2024-1759. State v. Johnson.

Lucas App. No. L-23-1134, [2024-Ohio-5623](#). On review of order certifying a conflict. The court determines that a conflict exists. The parties are to brief the issue as stated in [2024-Ohio-5623](#), ¶ 68 (6th Dist.): “Does R.C. 2953.33, the Application to Have Records Sealed statute for persons found not guilty of offenses, apply to persons found not guilty by reason of insanity?” The conflict cases are *State v. Reiner*, [2016-Ohio-5520](#) (8th Dist.); *State v. Mers*, [2016-Ohio-4893](#) (2d Dist.); *State v. Z.J.*, [2007-Ohio-552](#) (8th Dist.); *State v. Schwartz*, [2005-Ohio-3171](#) (1st Dist.); and *State v. Haney*, 70 Ohio App.3d 135 (10th Dist. 1991).

Brunner, J., would accept the conflict only as to *Reiner*, *Z.J.*, and *Schwartz*.

Hawkins, J., dissents.

2025-0071. Wells Fargo Bank, Natl. Assn. v. Doberdruk.

Cuyahoga App. No. 113637, [2024-Ohio-5007](#). 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 first page of the court of appeals' December 17, 2024 entry: "Is an appeal of the judgment of foreclosure moot after the distribution of sale proceeds when an appellant filed a motion requesting a stay but could not post the bond or is the appeal not moot because R.C. 2329.45 provides the appellant with the remedy of restitution?" The conflict cases are *Chase Manhattan Mtg. Co. v. Locker*, [2003-Ohio-6665](#) (2d Dist.); *MIF Realty, L.P. v. K.E.J. Corp.*, 1995 WL 311365 (6th Dist. May 19, 1995); and *U.S. Bank, Natl. Assn. v. Mobile Assocs. Natl. Network Sys.*, [2011-Ohio-5284](#) (10th Dist.). Sua sponte, cause consolidated with [2024-1669](#), *Wells Fargo Bank, Natl. Assn. v. Doberdruk*.

2025-0086. Ryan v. Ryan.

Franklin App. Nos. 23AP-554 and 24AP-72, [2024-Ohio-5691](#). On appellant's motion for stay of all proceedings in Franklin C.P. No. 21 DR 4418 pending this court's acceptance of this appeal. Motion denied.

2025-0094. Atlantica, L.L.C. v. Salahuddin.

Franklin App. No. 23AP-35, [2024-Ohio-5780](#). On appellant's motion for stay of execution of writ of possession pending appeal. Motion denied.

APPEALS ACCEPTED FOR REVIEW

2024-1546. State v. King.

Cuyahoga App. No. 113411, [2024-Ohio-4585](#). Sua sponte, cause held for the decision in [2024-1050](#), *State v. Striblin*.

2024-1669. Wells Fargo Bank, Natl. Assn. v. Doberdruk.

Cuyahoga App. No. 113637, [2024-Ohio-5007](#). Sua sponte, cause consolidated with [2025-0071](#), *Wells Fargo Bank, Natl. Assn. v. Doberdruk*.

Fischer, J., dissents.

2024-1732. State v. Seymour.

Franklin App. No. 22AP-721, [2024-Ohio-5179](#). Appellant's motion to consolidate granted. Cause consolidated with [2024-1658](#), *State v. Seymour*.

APPEALS NOT ACCEPTED FOR REVIEW

2024-1262. Spitzer Autoworld Akron, L.L.C. v. Fred Martin Motor Co.

Summit App. Nos. 30624 and 30643, [2024-Ohio-3394](#). Appeal and cross-appeal not accepted. Appellee/cross-appellant's motion for sanctions denied. Appellee/cross-appellant's alternative request for hearing denied as moot.

MISCELLANEOUS DISMISSALS

2024-0565. State ex rel. Howard v. Willoughby Hills Police Dept.

In Mandamus. On relator's second application for dismissal of case. Application granted in part. Application denied as to relator's requests that this court incorporate the settlement terms and retain jurisdiction. Cause dismissed.

Deters, J., would dismiss the cause for want of prosecution.