

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

February 15, 2022

[Cite as *02/15/2022 Case Announcements, 2022-Ohio-397.*]

MERIT DECISIONS WITHOUT OPINIONS

2021-1555. McMahon v. Chambers-Smith.

In Habeas Corpus. Sua sponte, cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

2021-1573. Dixon v. Shoop.

In Habeas Corpus. Sua sponte, cause dismissed. Petitioner's motion for appointment of counsel denied. Petitioner's motion to stay execution of sentence and for release on home-detention confinement pending adjudication denied as moot.

O'Connor, C.J., and Fischer, DeWine, Stewart, and Brunner, JJ., concur.

Kennedy and Donnelly, JJ., would deny petitioner's motion to stay execution of sentence and for release on home-detention confinement pending adjudication.

2021-1574. Cantor v. Greene Cty. Court of Common Pleas.

In Habeas Corpus. Sua sponte, cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

2022-0007. Hopkins v. Greene Cty. Court of Common Pleas.

In Habeas Corpus. Sua sponte, cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

2022-0015. State v. Blair.

In Habeas Corpus. Sua sponte, cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

2022-0019. State ex rel. Ellis v. Hill.

In Habeas Corpus. Sua sponte, cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

2022-0034. Blair v. Summit Behavioral Mental Health.

In Habeas Corpus. Sua sponte, cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

MOTION AND PROCEDURAL RULINGS

2021-1523. State v. Osborne.

Cuyahoga App. No. 110237, 2021-Ohio-3352. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

2021-1539. State v. Wolfe.

Licking App. No. 2021 CA 0009, 2021-Ohio-3223. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

O'Connor, C.J., dissents.

2021-1542. State v. Hawkins.

Montgomery App. No. 29013, 2021-Ohio-3373. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

APPEALS ACCEPTED FOR REVIEW

2021-1336. State v. Gapen.

Montgomery App. No. 28808, 2021-Ohio-3252. Appeal accepted on proposition of law No. II. Sua sponte, cause held for the decision in 2020-0648, *State v. Bethel*.

Donnelly, J., would also accept the appeal on proposition of law No. I.

Fischer, J., dissents.

2021-1415. State v. Williams.

Coshocton App. No. 2021CA0003, 2021-Ohio-3579. Sua sponte, cause held for the decision in 2020-1266, *State v. Maddox*.

DeWine, J., dissents.

2021-1440. TWISM Ents., L.L.C. v. State Bd. of Registration for Professional Engineers & Surveyors.

Hamilton App. Nos. C-200411 and C-210125, 2021-Ohio-3665. Appeal accepted on proposition of law Nos. I and II.

Kennedy, DeWine, and Brunner, JJ., would accept the appeal on all propositions of law.

O'Connor, C.J., and Stewart, J., dissent.

2021-1540. State v. Waltz.

Muskingum App. No. CT2021-0012, 2021-Ohio-3895. Sua sponte, cause held for the decision in 2020-1266, *State v. Maddox*.

DeWine and Donnelly, JJ., dissent.

APPEALS NOT ACCEPTED FOR REVIEW

2021-1051. State v. Mobley.

Franklin App. No. 21AP-25.

2021-1147. State v. N.S.

Franklin App. Nos. 20AP-66 and 20AP-67, 2020-Ohio-5318.

2021-1408. State v. Haynie.

Muskingum App. No. CT2016-0057.

Brunner, J., dissents.

2021-1418. State v. Gray.

Cuyahoga App. No. 110283, 2021-Ohio-3670.

Stewart, J., dissents.

2021-1420. Wiltz v. Cleveland Clinic.

Cuyahoga App. Nos. 109147 and 109483, 2021-Ohio-62.

2021-1423. 4030 W. Broad, Inc. v. Neal.

Franklin App. No. 20AP-31, 2021-Ohio-3685.

2021-1426. State v. Gibson.

Montgomery App. No. 287692, 2021-Ohio-3614.

2021-1431. CHS-Lake Erie, Inc. v. Ohio Dept. of Medicaid.

Franklin App. No. 18AP-897, 2020-Ohio-505.

Brunner, J., not participating.

2021-1436. State v. Knight.

Cuyahoga App. No. 109302, 2021-Ohio-3674.

Donnelly, J., dissents.

2021-1439. State v. Allison.

Stark App. No. 2021CA00006, 2021-Ohio-3723.

2021-1451. State v. Conard.

Ashtabula App. No. 2019-A-0065, 2020-Ohio-6673.

2021-1454. State v. Gaffin.

Adams App. No. 20CA1115, 2021-Ohio-2659.

2021-1470. State v. Crews.

Muskingum App. No. CT2021-0011, 2021-Ohio-3799.

2021-1471. Huber Hts. Veterans Club, Inc. v. Bowman.

Montgomery App. No. 29175, 2021-Ohio-3944.

2021-1474. Westfield Twp. Zoning Inspector v. Emerald Bioenergy, L.L.C.

Morrow App. No. 2021 CA 0001, 2021-Ohio-3843.

Kennedy and Donnelly, JJ., dissent.

2021-1475. State v. Cartlidge.

Seneca App. No. 13-21-06, 2021-Ohio-3787.

2021-1477. State v. Craig.

Wood App. No. WD-20-034, 2021-Ohio-2790.

2021-1480. State ex rel. Esrati v. Dayton Metro Library.

Montgomery App. No. 29050, 2021-Ohio-3753.

2021-1481. State v. Reyes.

Portage App. No. 2021-P-0014, 2021-Ohio-3478.

2021-1495. State v. Cephas.

Hamilton App. No. C-200303.

2021-1512. In re J.C.

Franklin App. No. 20AP-358, 2021-Ohio-3716.

Stewart and Brunner, JJ., dissent.

Fischer, J., not participating.

2021-1513. Roe v. Boland.

Cuyahoga App. No. 110497, 2021-Ohio-4017.

Donnelly, J., not participating.

2021-1527. State v. Cutright.

Ross App. No. 21CA3749, 2021-Ohio-4039. Appellant's motion for stay denied.

DeWine, J., would deny the motion as moot.

2021-1532. Cleveland Internatl. Fund Med. Mart Hotel v. Optima 777, L.L.C.

Cuyahoga App. No. 110930.

Donnelly, J., not participating.

2021-1549. State v. Harris.

Muskingum App. No. CT2020-0052, 2021-Ohio-4007.

2021-1557. State v. Hill.

Franklin App. No. 21AP-16, 2021-Ohio-3899.

Fischer, J., not participating.

2021-1562. State v. Prater.

Franklin App. No. 20AP-308, 2021-Ohio-3988.

Brunner, J., not participating.

2021-1564. State v. Davis.

Cuyahoga App. No. 110301, 2021-Ohio-4015.

2021-1578. In re R.W.H.

Montgomery App. No. 28880, 2021-Ohio-4024.

2022-0013. K.M. v. R.P.

Mahoning App. No. 21 MA 0086.

RECONSIDERATION OF PRIOR DECISIONS

2021-1039. State v. Hoover.

Belmont App. No. 20 BE 0002, 2021-Ohio-2485. Reported at 165 Ohio St.3d 1464, 2021-Ohio-4108, 177 N.E.3d 277. On motion for reconsideration. Motion denied.

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

2021-1100. State v. Harmon.

Pickaway App. No. 20CA6, 2021-Ohio-2610. Reported at 165 Ohio St.3d 1465, 2021-Ohio-4109, 177 N.E.3d 279. On motion for reconsideration. Motion denied.

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

2021-1168. Ohio Power Co. v. Burns.

Washington App. Nos. 20CA19 through 20CA22, 2021-Ohio-2714. Reported at 165 Ohio St.3d 1478, 2021-Ohio-4289, 177 N.E.3d 996. On motion for reconsideration. Motion granted. The case shall proceed in accordance with the Rules of Practice of the Supreme Court of Ohio.

O'Connor, C.J., and Fischer and Brunner, JJ., dissent.

2021-1183. Gibbs v. Firefighters Community Credit Union.

Cuyahoga App. No. 109929, 2021-Ohio-2679. Reported at 165 Ohio St.3d 1478, 2021-Ohio-4289, 177 N.E.3d 994. On motion for reconsideration. Motion denied.

Kennedy, DeWine, and Donnelly, JJ., dissent.

2021-1282. State ex rel. Ames v. Portage Cty. Bd. of Commrs.

In Mandamus. Reported at 165 Ohio St.3d 1489, 2021-Ohio-4409, 178 N.E.3d 516.

On motion for reconsideration and for sanctions. Motion denied.