

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

THURSDAY

July 18, 1996

MOTION DOCKET

95-1060. State v. Allard.
Knox County, No. 937. Upon consideration of the motion filed by counsel for appellant to stay the execution of sentence in the above-styled cause pending the timely filing of a petition for a writ of certiorari in the Supreme Court of the United States,

IT IS ORDERED that said motion be, and the same is hereby, granted, effective July 17, 1996.

IT IS FURTHER ORDERED that the compliance with the mandate and the execution of sentence be, and the same are hereby, stayed, pending the timely filing of the petition in the Supreme Court of the United States.

IT IS FURTHER ORDERED that if such petition is timely filed, this stay shall continue for an indefinite period pending final disposition of this cause by the Supreme Court of the United States.

96-1264. State v. Pleasant.
Lawrence County, No. 94CA39. This cause is pending before the court as a discretionary appeal from the Court of Appeals for Lawrence County. Upon consideration of appellant's motion for appeal bond,

IT IS ORDERED by the court that the motion be, and hereby is, denied, effective July 17, 1996.

96-1554. Brown v. Guarantee Title & Trust/ARTA.
Fairfield County, No. 9441. This cause is pending before the court as a discretionary appeal from the Court of Appeals of Fairfield County. Upon consideration of appellant's motion to stay the judgment of the court of appeals and to continue supersedeas bond,

IT IS ORDERED by the court that the motion be, and hereby is, granted, effective July 17, 1996.

Resnick and Pfeifer, JJ., dissent.

96-1561. State v. Chinn.
Montgomery County, No. 15009. This cause is pending before the court as a discretionary appeal and a claimed appeal of right from the Court of Appeals for

Montgomery County. Upon consideration of appellant's motion for stay of court of appeals' judgment,

IT IS ORDERED by the court that the motion be, and hereby is, denied, effective July 17, 1996.

Douglas, J., dissents.

RECONSIDERATION DOCKET

96-872. State v. Schulte.

Mercer County, No. 10-96-3. Reported at 75 Ohio St.3d 1491, ___ N.E.2d ___. IT IS ORDERED by the court that the motion for reconsideration in this case be, and hereby is, denied, effective July 17, 1996.

MISCELLANEOUS DISMISSALS

96-785. State ex rel. Ferguson v. Indus. Comm.

In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus. Upon consideration of relator's application for dismissal,

IT IS ORDERED by the court that the application for dismissal be, and hereby is, granted, effective July 17, 1996.

ACCORDINGLY, IT IS FURTHER ORDERED by the court that this cause be, and hereby is, dismissed.

96-1233. State v. Weaver.

Champaign County, No. 96-CA-4. On May 28, 1996, appellant filed a notice of appeal of the judgment of the court of appeals entered in case No. 96-CA-4 on May 13, 1996. Appellant asserted in his notice of appeal that the case originated in the court of appeals. Pursuant to S.Ct.Prac.R. V(3), the Clerk ordered the transmittal of the record from the court of appeals.

Upon review of the record, it is determined by the court that this case did not originate in the court of appeals but is an appeal of the court of appeals' decision granting appellee's motion for leave to appeal the trial court's order of January 31, 1995. Whereas this appeal is a discretionary appeal or claimed appeal of right and appellant did not file a memorandum in support of jurisdiction as required by S.Ct.Prac.R. II(2)(A)(1),

IT IS ORDERED by the court, sua sponte, that this case be, and hereby is, dismissed, effective July 17, 1996.

96-1495. In re Joshua S.

Erie County, No. E-95-028. This cause is pending before the court as a discretionary appeal and as a claimed appeal of right. Upon consideration of appellant's application for dismissal,

IT IS ORDERED by the court that the application for dismissal be, and hereby is, granted, effective July 17, 1996.

ACCORDINGLY, IT IS FURTHER ORDERED by the court that this cause be, and hereby is, dismissed.