

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

MONDAY  
June 17, 1996

MOTION DOCKET

91-172. State v. Mills.  
Hamilton County, No. C-880581. On June 11, 1993, this court stayed the execution of sentence in this cause pending exhaustion of state post-conviction remedies. Appellee has moved that this court set a date for execution of sentence. It appearing to the court that all matters have been disposed of in case No. 91-172, appellant's direct appeal of his conviction; case No. 95-868, appellant's appeal from his application for reopening in the court of appeals; and case No. 94-853, appellant's post-conviction appeal,

IT IS ORDERED by the court, sua sponte, effective June 13, 1996, that the stay of execution entered in this cause on June 11, 1993, be and is hereby revoked.

IT IS HEREBY ORDERED by this court that said sentence be carried into execution by the Warden of the Southern Ohio Correctional Facility or, in his absence, by the Deputy Warden on Wednesday, the 11th day of September, 1996, in accordance with the statutes so provided.

IT IS FURTHER ORDERED that a certified copy of this entry and a warrant under the seal of this court be duly certified to the Warden of the Southern Ohio Correctional Facility and that said Warden shall make due return thereof to the Clerk of the Court of Common Pleas of Hamilton County.

95-2643. State v. Hodges.  
Seneca County, No. 13-95-16. This cause came on for further consideration of appellant's motion to continue stay of execution of sentence and bail pending disposition by the United State Supreme Court. Upon consideration thereof,

IT IS ORDERED by the court that the motion to continue stay of execution of sentence and bail pending disposition by the United States Supreme Court be, and hereby is, denied.

96-117. In re Vaughn.  
Franklin County, No. 95APE05-645. This cause came on for further consideration of appellant's motion for stay of execution of this court's April 24, 1996 judgment entry. Upon consideration thereof,

IT IS ORDERED by the court that the motion for stay of execution of this court's April 24, 1996 judgment entry be, and hereby is, denied.

Douglas, J., dissents.

RECONSIDERATION DOCKET

96-1039. Bank One, Columbus, N.A. v. O'Brien.  
Franklin County, No. 95APD08-1094. Reported at 75 Ohio St.3d 1486, N.E.2d  
. On June 10, 1996, appellant filed a document titled "Motion to Reinstate  
Appeal."

It is determined by the court that appellant's motion is, in essence, a  
motion for reconsideration of this court's entry of May 15, 1996, and, as such,  
is untimely. Accordingly,

IT IS ORDERED by the court, sua sponte, that appellant's motion to  
reinstate appeal be, and hereby is, stricken.

96-1048. Mieras v. Fed. Correctional Inst., Inc.  
In Habeas Corpus. Reported at 75 Ohio St.3d 1481, N.E.2d . On May 10,  
1996, this court dismissed this cause. On  
May 28, 1996, petitioner filed a document titled "Notice of Objections and  
Demands."

IT IS DETERMINED by the court that petitioner's document is, in essence, a  
motion for reconsideration and, as such, is untimely. Accordingly,

IT IS ORDERED by the court, sua sponte, that the motion be, and hereby is,  
stricken.

96-1088. Wright v. Fed. Correctional Inst., Inc.  
In Habeas Corpus. Reported at 75 Ohio St.3d 1487, N.E.2d . Upon  
consideration of petitioner's motion for reconsideration, constructive notice  
and demand,

IT IS ORDERED by the court that the motion for reconsideration in this  
case be, and hereby is, denied.

96-1134. Bundy v. Fed .Correctional Inst., Inc.  
In Habeas Corpus. Reported at 75 Ohio St.3d 1487, N.E.2d . On May 15,  
1996, this court dismissed this cause. On May 31, 1996, petitioner filed a  
document titled "Notice of Objections and Demands."

IT IS DETERMINED by the court that petitioner's document is, in essence, a  
motion for reconsideration and, as such, is untimely. Accordingly,

IT IS ORDERED by the court, sua sponte that the motion be, and hereby is,  
stricken.

96-1228. Norman v. Fed. Correctional Inst., Inc.  
In Habeas Corpus. Reported at 75 Ohio St.3d 1505, N.E.2d . Upon  
consideration of petitioner's demand for reconsideration,

IT IS ORDERED by the court that the demand for reconsideration in this  
case be, and hereby is, denied, effective June 14, 1996.

#### MISCELLANEOUS DISMISSALS

96-753. State v. Petty.  
Clermont County, No. CA95-05-028. This cause is pending before the court as a  
discretionary appeal and as a claimed appeal of right. Appellant's motion for  
delayed appeal was granted on May 8, 1996. It appears from the records of this  
court that appellant has not filed a memorandum in support of jurisdiction, due  
June 7, 1996, in compliance with the Rules of Practice of the Supreme Court and  
therefore has failed to prosecute this cause with the requisite diligence. Upon  
consideration thereof,

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

96-1262. Lawson v. Fed. Correctional Inst., Inc.

In Habeas Corpus. This cause originated in this court on the filing of a petition for a writ of habeas corpus and was considered in a manner prescribed by law. Upon consideration thereof,

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

96-1281. Schroedel v. Fed. Correctional Inst., Inc.

In Habeas Corpus. This cause originated in this court on the filing of a petition for a writ of habeas corpus and was considered in a manner prescribed by law. Upon consideration thereof,

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

96-1284. State v. Haynes.

Franklin County, No. 96APA02-131. 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.

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

96-1293. Sebastian v. Fed. Correctional Inst., Inc.

In Habeas Corpus. This cause originated in this court on the filing of a petition for a writ of habeas corpus and was considered in a manner prescribed by law. Upon consideration thereof,

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

96-1295. Baur v. Carlson.

In Habeas Corpus. This cause originated in this court on the filing of a petition for a writ of habeas corpus and was considered in a manner prescribed by law. Upon consideration thereof,

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