

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

WEDNESDAY
May 15, 1996

MERIT DOCKET

96-972. Gill v. Hayes.

In Prohibition. This cause originated in this court on the filing of a complaint for a writ of prohibition. Upon consideration of relator's motion for peremptory or alternative writ,

IT IS ORDERED by the court that the motion for peremptory or alternative writ be, and hereby is, denied.

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

Moyer, C.J., F.E. Sweeney, Pfeifer and Cook, JJ., concur.

Douglas, J., dissents and would grant an alternative writ.

Resnick and Stratton, JJ., not participating.

96-973. BPS Mgt., Inc. v. Elliot.

In Prohibition. This cause originated in this court on the filing of a complaint for a writ of prohibition. Upon consideration of respondents' motion for alternative writ,

IT IS ORDERED by the court that the motion for alternative writ be, and hereby is, denied.

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

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Stratton, JJ., concur.

96-1061. State ex rel. Nozik v. Ford.

In Prohibition. This cause originated in this court on the filing of a complaint for a writ of prohibition. Upon consideration of relator's motion for issuance of an alternative writ,

IT IS ORDERED by the court that the motion for issuance of an alternative writ be, and hereby is, denied.

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

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Stratton, JJ., concur.

MOTION DOCKET

95-846. State v. Williams.

Trumbull County, No. 89-T-4210. UPON CONSIDERATION of the motion filed by counsel for appellant/cross-appellee 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.

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.

Pfeifer, J., would stay only to a date certain, one hundred eighty days after today.

Cook, J., would stay only to a date certain.

96-787. State ex rel. Quinn v. Davies.

In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus. Upon consideration of respondent's motion for protective order staying discovery until this court renders a decision on respondent's motion to dismiss,

IT IS ORDERED by the court that the motion for protective order be, and hereby is, granted.

Pfeifer, J., dissents.

MISCELLANEOUS DISMISSALS

95-946. State ex rel. Cleveland v. Pub. Util. Comm.

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

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

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

96-218. Dawson v. Indus. Comm.

Franklin County, No. 94APD10-1440. This cause is pending before the court as an appeal and cross-appeal from the Court of Appeals for Franklin County. It appears from the records of this court that appellant/cross-appellee has not filed a merit brief, due April 23, 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 the appeal of Robert Dawson be, and hereby is, dismissed sua sponte.

The appeal of the Industrial Commission of Ohio et al. remains pending. The cross-appellants' brief is due May 23, 1996, and the parties shall proceed to brief the cross-appeal pursuant to the provisions of S.Ct.Prac.R. VI(1), (2), and (3).

96-884. State ex rel. Twyford v. Bodine.

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.

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

96-966. State ex rel. Ohio Dept. of Rehab. & Corr. v. Corrigan.
In Prohibition. This cause originated in this court on the filing of a
complaint for a writ of prohibition. Upon consideration of relator's
application for dismissal,

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

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

96-1039. Bank One Columbus, N.A. v. O'Brien.
Franklin County, No. 95APD08-1094. This cause is pending before the court as a
discretionary appeal. On May 6, 1996, when the appeal was filed, appellant did
not submit the docket fee, or an affidavit of indigency in lieu of the fee, to
satisfy the requirement imposed by R.C. 2503.17 and S.Ct.Prac.R. XV. Whereas
R.C. 2503.17 and S.Ct.Prac.R. XV require that the docket fee shall be paid
before a notice of appeal is filed or a case is docketed,

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

96-1087. Schindler v. Fed. Correctional Inst.
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.

96-1088. Wright v. Fed. Correctional Inst.
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.

96-1132. Anderson v. Bodzick.
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.

96-1134. Bundy v. Fed. Correctional Inst.
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.

96-1138. LaBeff v. Fed. Correctional Inst.
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.

THESE TWO ANNOUNCEMENTS HAVE BEEN AMENDED. PLEASE DISREGARD THE PREVIOUS
VERSIONS.

