

**SUPREME COURT OF OHIO**

**COLUMBUS**

**ANNOUNCEMENT**

THURSDAY  
November 12, 1998

**MOTION DOCKET**

**98-2207. In re Enforcement of Subpoena Duces Tecum Directed to Custodian of Records, Wallaby's, Inc.**

This cause is pending before the court on a motion for an order to show cause filed by movant, Ohio State Bar Association. On November 9, 1998, respondent, Custodian of Records, Wallaby's, Inc., filed a response to the motion for order to show cause which was due November 2, 1998. Whereas S.Ct.Prac.R. XIV(1)(C) prohibits the filing of a document after the filing deadline has passed,

IT IS ORDERED by the court, *sua sponte*, that respondent's response to the motion for order to show cause be, and hereby is stricken.

**98-2208. In re Enforcement of Subpoena Duces Tecum Directed to Peh.**

This cause is pending before the court on a motion for an order to show cause filed by movant, Ohio State Bar Association. On November 9, 1998, respondent, Tony Peh, filed a response to the motion for order to show cause which was due November 2, 1998. Whereas S.Ct.Prac.R. XIV(1)(C) prohibits the filing of a document after the filing deadline has passed,

IT IS ORDERED by the court, *sua sponte*, that respondent's response to the motion for order to show cause be, and hereby is, stricken.

**98-2360. State v. Twyford.**

Jefferson App. No. 93J13. This cause is pending before the court as an appeal from the Court of Appeals for Jefferson County. Upon consideration of appellant's motion for stay of execution,

IT IS ORDERED by the court that appellant's motion for stay of execution be, and hereby is, granted, pending disposition of this appeal.

**MISCELLANEOUS DISMISSALS**

**98-1616. State ex rel. Davenport v. Wilkinson.**

Franklin App. No. 98AP-54. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. It appears from the records of this court that appellant has not filed a merit brief, due October 21, 1998, 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*.