

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

MONDAY

October 19, 1998

MOTION DOCKET

87-1674. State v. Broom.

Cuyahoga App. No. 51237. On March 1, 1990, 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. 87-1674, appellant's direct appeal of his conviction, and case No. 98-1252, appellant's post-conviction appeal,

IT IS ORDERED by the court, *sua sponte*, that the stay of execution entered in this cause on March 1, 1990, be and is hereby revoked.

IT IS HEREBY ORDERED by this court that said sentence be carried in the execution by the Warden of the Southern Ohio Correctional Facility or, in his absence, by the Deputy Warden on Tuesday, the 19th day of January, 1999, 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 Cuyahoga County.

98-20. State v. Nields.

Hamilton C.P. No. B9703305. This cause is pending before the court as an appeal from the Court of Common Pleas of Hamilton County. On October 9, 1998, appellant filed his second stipulation to an extension of time to file his merit brief. Whereas S.Ct.Prac.R. XIV(3)(B)(2) permits each party to obtain only one extension of time,

IT IS ORDERED by the court, *sua sponte*, that appellant's second stipulation to an extension of time to file his merit brief be, and hereby is, stricken.

98-405. Hamilton Ins. Serv., Inc. v. Nationwide Ins. Cos.

Richland App. Nos. 97CA27 and 97CA42. On September 24, 1998, appellant filed a document titled "List of Additional Authorities Pursuant to Sup.Ct.R. IX(7)." Appellant's document contains more than the list of citations to additional authorities permitted by S.Ct.Prac.R. IX(7). Furthermore, the document is, in substance, an untimely correction or addition to appellant's supplement. S.Ct.Prac.R. VII(7) prohibits the filing of corrections or additions to a previously filed document after the deadline for filing the document has passed. Accordingly,

IT IS ORDERED by the court, *sua sponte*, that appellant's list of additional authorities be, and hereby is, stricken.

98-1656. Schnitzler v. Agri Gen. Co., L.P.

Marion App. No. 9-98-29. On October 1, 1998, appellant filed a document titled "Citation to Relevant Authority." Appellant's document contains more than the citation to the relevant authority permitted by S.Ct.Prac.R. III(3). Accordingly,

IT IS ORDERED by the court, *sua sponte*, that appellant's citation to relevant authority be, and hereby is, stricken.

98-1733. State ex rel. Licking Cty. v. Licking Mem. Hosp.

In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus. On October 5, 1998, respondent filed a motion for leave to file a reply to relators' memorandum contra respondent's motion for judgment on the pleadings. Whereas S.Ct.Prac.R. XI(4) prohibits a reply to a memorandum opposing a motion,

IT IS ORDERED by the court that the motion for leave to file a reply to relators' memorandum contra respondent's motion for judgment on the pleadings be, and hereby is, denied.