

SUPREME COURT OF OHIO
COLUMBUS

ANNOUNCEMENT

THURSDAY
May 21, 1998

MERIT DOCKET

98-903. State ex rel. Eddy v. Clark.

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 stay and motion to expedite consideration of motion for stay,

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

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

Pfeifer, J., would grant a peremptory writ allowing interview under controlled circumstances.

MOTION DOCKET

97-1626. Chamberlain v. AK Steel Corp.

Butler App. No. CA97-04-074. This cause is pending before the court as an appeal from the Court of Appeals for Butler County. Upon consideration of appellant's motion for leave to file supplemental briefs addressing impact of amendment to R.C. 2505.02,

IT IS ORDERED by the court that the motion for leave to file supplemental briefs be, and hereby is, denied.

Moyer, C.J., Pfeifer and Lundberg Stratton, JJ., dissent.

97-1778. State v. Rush.

Stark App. No. 96CA419. This cause is pending before the court as an appeal from the Court of Appeals for Stark County,

IT IS ORDERED by the court, *sua sponte*, that oral argument scheduled for May 27, 1998, be extended to twenty minutes per side.

97-2121. State v. Mitchell.

Franklin App. No. 97APA03-351. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County.

IT IS ORDERED by the court, *sua sponte*, that oral argument scheduled for May 27, 1998, be extended to twenty minutes per side.

97-2123. State v. Mitchell.

Franklin App. No. 97AP03-351. This cause is pending before the court on the certification of conflict by the Court of Appeals for Franklin County.

IT IS ORDERED by the court, *sua sponte*, that oral argument scheduled for May 27, 1998, be extended to twenty minutes per side.

97-2266. State v. Toler.

Hamilton App. No. C-960835. This cause is pending before the court on the certification of conflict by the Court of Appeals for Franklin County.

IT IS ORDERED by the court, *sua sponte*, that oral argument scheduled for May 27, 1998, be extended to twenty minutes per side.

98-481. State v. Sleppy.

Darke App. No. 96CA1412. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellant's motion to hold delayed appeal in abeyance,

IT IS ORDERED by the court that the motion to hold appeal in abeyance be, and hereby is, denied.

Pfeifer, J., would dismiss.

98-552. State v. Smith.

Lucas App. No. L-94-093. This cause is pending before the court as an appeal from the Court of Appeals for Lucas County. Upon consideration of the motion to withdraw as appellant's counsel filed by Jeffrey Gamso and Spiros Cocoves,

IT IS ORDERED by the court that the motion to withdraw as appellant's counsel be, and hereby is, granted.

IT IS FURTHER ORDERED by the court, *sua sponte*, that the Ohio Public Defender be, and hereby is, appointed to represent the appellant.

IT IS FURTHER ORDERED by the court, *sua sponte*, that appellant's brief shall be due within ninety days of the date of this entry and that the parties shall otherwise proceed in accordance with S.Ct.Prac.R. VI.

Douglas, J., would remand to the court of appeals for appointment of counsel.

DISCIPLINARY DOCKET

98-423. Columbus Bar Assn. v. King.

On May 11, 1998, respondent filed a motion to strike relator's answer brief filed pursuant to Gov.Bar R. V(8). Whereas respondent's motion is, in substance, a reply brief to relator's answer brief, and there is no provision under Gov.Bar R. V(8) for the filing of a reply brief,

IT IS ORDERED by the court, *sua sponte*, that the motion to strike relator's answer brief be, and hereby is, stricken.

98-424. Columbus Bar Assn. v. Pope.

On May 13, 1998, respondent filed a motion to strike relator's answer brief filed pursuant to Gov.Bar R. V(8). Whereas respondent's motion is, in substance, a reply brief to relator's answer brief, and there is no provision under Gov.Bar R. V(8) for the filing of a reply brief,

IT IS ORDERED by the court, *sua sponte*, that the motion to strike relator's answer brief be, and hereby is, stricken.

98-713. Disciplinary Counsel v. Atkin.

Upon consideration of respondent's motion to file reduced number of copies,

IT IS ORDERED by the court that the motion to file reduced number of copies be, and hereby is, granted.