

05/01/98

## SUPREME COURT OF OHIO

COLUMBUS

## ANNOUNCEMENT

FRIDAY  
May 1, 1998

## MOTION DOCKET

96-2311. State v. Keenan.  
Cuyahoga App. No. 67452. Upon consideration of the motion filed by counsel for appellant 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.

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 to vacate oral argument and motion to remand,

IT IS ORDERED by the court that the motions be, and hereby are, denied.

Lundberg Stratton, J., dissents.

## MISCELLANEOUS DISMISSALS

97-2225. Stefanov v. Grange Mut. Cas. Co.  
Cuyahoga App. No. 71209. This cause is pending before the court on the certification of conflict by the Court of Appeals for Cuyahoga County. Upon consideration of the joint 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.

98-360. Weiss v. Pub. Util. Comm.

Public Utilities Commission, No. 97-876-EL-CSS. This cause is pending before the court as an appeal from the Public Utilities Commission of Ohio. 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.

98-583. San v. Scherer.

Franklin App. Nos. 97APE03-317 and 97APE03-318. This cause is pending before the court as a discretionary appeal and cross-appeal. It appears from the records of this court that appellees/cross-appellants have not filed a memorandum in support of jurisdiction of cross-appeal, due April 22, 1998, in compliance with the Rules of Practice of the Supreme Court and therefore have failed to prosecute this cause with the requisite diligence. Upon consideration thereof,

IT IS ORDERED by the court that the cross-appeal of United Magazine Company and Ronald E. Scherer be, and hereby is, dismissed sua sponte.

98-695. Bean v. Wal-Mart Stores, Inc.

Hamilton App. No. C-970565. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Whereas appellant has filed a memorandum in support of jurisdiction that exceeds the page limit prescribed by S.Ct.Prac. R. III(1)(C),

IT IS ORDERED by the court, sua sponte, that the memorandum in support of jurisdiction be, and hereby is, stricken.

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