

**SUPREME COURT OF OHIO**

**COLUMBUS**

**ANNOUNCEMENT**

THURSDAY  
April 23, 1998

**MOTION DOCKET**

**98-68. State ex rel. Nix v. Cleveland.**

In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus. Upon consideration of respondents' motion to quash subpoena,

IT IS ORDERED by the court that the motion to quash subpoena be, and hereby is, granted.

Pfeifer, J., dissents.

**98-357. State ex rel. Snyder v. Cunningham.**

In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus. On March 16, 1998, respondents filed a response to relator's motion for peremptory writ that was due March 2, 1998. S.Ct.Prac.R. XIV(1)(C) prohibits the filing a document that is not timely tendered for filing. Accordingly,

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

## RECONSIDERATION DOCKET

**98-460. State v. Green.**

Lake App. No. 97-L-085. Reported at 81 Ohio St.3d 1505, 692 N.E.2d 210. On April 2, 1998, this case was dismissed for want of prosecution because appellant failed to timely file a memorandum in support of jurisdiction. On April 13, 1998, appellant filed a motion for reconsideration of the dismissal of this case. Appellant attached to the motion for reconsideration a memorandum in support of jurisdiction and a motion to deem the memorandum in support of jurisdiction timely filed. Whereas S.Ct.Prac.R. XIV(1)(C) prohibits the filing of a document after the filing deadline and prohibits motions to waive the timeliness requirement,

IT IS ORDERED by the court, *sua sponte*, that the memorandum in support of jurisdiction and motion attached to appellant's motion for reconsideration be, and hereby are, stricken.

IT IS FURTHER ORDERED that appellant's motion for reconsideration be, and hereby is, denied.

## MISCELLANEOUS DISMISSALS

**91-1259. Forbes v. Midwest Air Charter, Inc.**

Cuyahoga App. No. 56815. This cause is pending before the court as a discretionary appeal and cross-appeal from the Court of Appeals for Cuyahoga County. Upon consideration of the application of appellee/cross-appellant, Piper Aircraft Corporation, for dismissal of the cross-appeal,

IT IS ORDERED by the court that said application be, and the same is hereby, granted, and the cross-appeal is dismissed.

IT IS FURTHER ORDERED by the court that the appeal of Ina Forbes remain pending.