

## SUPREME COURT OF OHIO

## COLUMBUS

## ANNOUNCEMENT

1:00 P.M.

WEDNESDAY  
April 1, 1998

## MOTION DOCKET

90-338. State v. Richey.

Putnam App. No. 12-87-2. On May 20, 1996, this court stayed the execution of sentence in this cause pending exhaustion of state post-conviction remedies. It appearing to the court that all matters have been disposed of in case No. 90-338, appellant's direct appeal of his conviction; case No. 95-374, appellant's appeal from his application for reopening in the court of appeals; and case No. 97-2728, appellant's post-conviction appeal,

IT IS ORDERED by the court, sua sponte, that the stay of execution entered in this cause on May 20, 1996, be and is hereby revoked.

IT IS HEREBY ORDERED by the court that said sentence be carried into execution by the Warden of the Southern Ohio Correctional Facility or, in his absence, by the Deputy Warden, on Tuesday, the 30th day of June, 1998, 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 Putnam County.

95-202. State v. Hill.

Hamilton App. No. C-910916. On October 29, 1996, this court stayed the execution of sentence in this cause pending exhaustion of state post-conviction remedies. It appearing to the court that all matters have been disposed of in case No. 95-202, appellant's direct appeal of his conviction, and case No. 98-22,

appellant's post-conviction appeal,

IT IS ORDERED by the court, sua sponte, that the stay of execution entered in this cause on October 29, 1996, be and is hereby revoked.

IT IS HEREBY ORDERED by the court that said sentence be carried into execution by the Warden of the Southern Ohio Correctional Facility or, in his absence, by the Deputy Warden,

on Tuesday, the 30th day of June, 1998, 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 Hamilton County.

96-2204. State v. Moore.

Hamilton App. No. C-950009. Upon consideration of the motion filed by counsel for appellant to stay execution in the above-styled cause pending the exhaustion of state post-conviction remedies, and it appearing from the exhibits to the motion that a petition for post-conviction relief was filed by appellant with the Hamilton County Common Pleas Court and an appeal of the denial of that petition is pending with the Hamilton County Court of Appeals,

IT IS ORDERED by the court that said motion be, and the same is hereby, granted.

IT IS FURTHER ORDERED by the court that execution of sentence be, and the same is hereby, stayed pending the exhaustion of all proceedings for post-conviction relief before courts of this state, including any appeals.

IT IS FURTHER ORDERED that counsel for the appellant and for the appellee shall notify this court when all proceedings for post-conviction relief before courts of this state have been exhausted.

98-435. State ex rel. Watkins v. Eighth Dist. Court of Appeals. In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus. Upon consideration of the motion of Cleveland Clinic Foundation and Michael Meehan to quash subpoena,

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

98-591. State ex rel. Gains v. Hill.

Mahoning App. No. 98 C.A. 12. This cause is pending before the court as an appeal from the Court of Appeals for Mahoning County. Upon consideration of appellant's emergency motion for stay of judgment,

IT IS ORDERED by the court that the emergency motion for stay of judgment be, and hereby is, denied.

Douglas, J., not participating.

#### DISCIPLINARY DOCKET

97-1651. Columbus Bar Assn. v. Elsass.

On application to be purged of contempt and reinstated to the practice of law. Application granted and Tobias H. Elsass is reinstated to the practice of law.

Moyer, C.J., not participating.

#### MISCELLANEOUS DISMISSALS

97-987. Trubee v. Ohio Expositions Comm.

Franklin App. No. 96APD05-705. This cause is pending before the

court as an appeal from the Court of Appeals for Franklin County. 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.

97-2607. State ex rel. Philips Display Components Co. v. Rice. Franklin App. No. 96APD12-1691. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. 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.

98-138. State ex rel. Gallon & Takacs Co., L.P.A. v. Conrad. Franklin App. No. 97APD02-243. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. 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.