

01/07/98

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

WEDNESDAY
January 7, 1998

MOTION DOCKET

90-22. State v. Waddy.

Franklin App. Nos. 87AP-1159 and 87AP-1160. On June 29, 1995, 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 in case No. 90-22, appellant's direct appeal of his conviction, and case No. 97-1554, appellant's post-conviction appeal,

IT IS ORDERED by the court, sua sponte, that the stay of execution entered in this cause on June 29, 1995, 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 Monday, the 6th day of April, 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 Franklin County.

93-2592. State v. Berry.

Cuyahoga App. No. 60531. Upon consideration of appellant's motion for stay of execution to file petition for certiorari to United States Supreme Court,

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

97-632. Rouse v. Mogadore Local School Bd.

Summit App. No. 17697. This cause is pending before the court as a discretionary appeal and claimed appeal of right. On March 27, 1997, appellant filed a notice in this case that a motion to certify a conflict was pending in the court of appeals. Pursuant to S.Ct.Prac.R. IV(4)(A), consideration of the jurisdictional memorandum filed in this case was stayed until the court of appeals determined whether to certify a conflict. Whereas it appears that appellant has not filed an order certifying a

conflict pursuant to S.Ct.Prac.R. IV(4)(C) or a notice that the court of appeals determined that a conflict does not exist pursuant to S.Ct.Prac.R. IV(4)(B),

IT IS ORDERED by the court, sua sponte, that appellant show cause within twenty days of the date of this order why this court should not proceed to consider the jurisdictional memorandum filed in this case.

97-2623. In re Testamentary Trust of Hamm.

Geauga App. No. 96-G-2023. This cause is pending before the court as a discretionary appeal. Upon consideration of appellee's motion for stay of probate court proceedings,

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

Lundberg Stratton, J., dissents.

98-5. McMaster v. Akron Hous. Appeals Bd.

Summit App. No. 18226. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellant's motion for stay of demolition orders pending appeal,

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

DISCIPLINARY DOCKET

96-2810. Disciplinary Counsel v. Donnell.

This cause came on for further consideration upon respondent's motion for stay of order of suspension entered October 1, 1997. Upon consideration thereof,

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

Resnick, J., not participating.

MISCELLANEOUS DISMISSALS

97-2705. Donohoe v. Hassinger.

In Habeas Corpus. This cause originated in this court on the filing of a complaint for a writ of habeas corpus and was considered in a manner prescribed by law. Upon consideration thereof,

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

Resnick, F.E. Sweeney and Lundberg Stratton, JJ., would deny.

MISCELLANEOUS DOCKET

1998 TERM

In re Report of the Commission
on Continuing Legal Education.

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O R D E R

This matter originated in this court on the filing of a report by the Commission on Continuing Legal Education (the "commission") pursuant to Gov.Bar R. X(6)(A)(1)(b) and (A)(2)(d).

The commission recommended the imposition of sanctions against certain attorneys, the respondents herein, for failure to comply with the provisions of Gov.Bar R. X, Attorney Continuing Legal Education, for the 1995-1996 reporting period.

On November 19, 1997, pursuant to Gov.Bar R. X(6)(B)(1), this court issued to each respondent an order to show cause why the commission's recommendation should not be adopted and an order so entered against the respondent. Seventy-two respondents filed objections to the commission's recommendation. Pursuant to Gov.Bar R. X(6)(B)(2), the commission may file an answer brief to the objections within fifteen days.

IT IS ORDERED by the court, sua sponte, that the commission may consolidate its responses to the respondents' objections in a single answer brief that shall be filed no later than February 20, 1998.

IT IS FURTHER ORDERED by the court, sua sponte, that the notice and service requirements of Gov.Bar R. X(6)(C) shall not apply to this order; and announcement and publication of this order by the Supreme Court Reporter in the Ohio Official Reports and the Ohio State Bar Association Report shall constitute notice to respondents.

1998 TERM

In re Report of the Commission :
on Continuing Legal Education. :

Willard Harry Jacquot
(#0021342),
Respondent. :

E N T R Y

This matter originated in this court on the filing of a report by the Commission on Continuing Legal Education (the "commission") pursuant to Gov.Bar R. X(6)(A)(1)(b) and (A)(2)(d). The commission recommended the imposition of sanctions against certain attorneys, including the above-named respondent, for failure to comply with the provisions of Gov.Bar R. X, Attorney Continuing Legal Education, for the 1994-1995 reporting period.

On April 14, 1997, pursuant to Gov.Bar R. X(6)(B)(3), this court entered an order adopting the recommendation of the commission, suspending the respondent from the practice of law and imposing a fee sanction upon the respondent.

On November 10, 1997, the commission filed a motion to vacate, requesting that the order of April 14, 1997, pertaining to the respondent, be vacated. Upon consideration thereof,

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

IT IS FURTHER ORDERED by the court that the order of April 14, 1997, pertaining to respondent, is hereby vacated and this cause is dismissed.

1998 TERM

In re Report of the Commission :
on Continuing Legal Education. :

Bruce Edward Wilson
(#0037822),
Respondent. :

E N T R Y

This matter originated in this court on the filing of a report by the Commission on Continuing Legal Education (the "commission") pursuant to Gov.Bar R. X(6)(A)(1)(b) and (A)(2)(d). The commission recommended the imposition of sanctions against certain attorneys, including the above-named respondent, for failure to comply with the provisions of Gov.Bar R. X, Attorney Continuing Legal Education, for the 1991-1992 reporting period.

On May 9, 1994, pursuant to Gov.Bar R. X(6)(B)(3), this court entered an order adopting the recommendation of the commission, suspending the respondent from the practice of law and imposing a fee sanction upon the respondent.

On September 23, 1997, the commission filed a motion to vacate, requesting that the portion of the order of May 9, 1994, imposing suspension upon the respondent, be vacated. Upon consideration thereof,

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

IT IS FURTHER ORDERED by the court that the portion of the order of May 9, 1994, imposing suspension upon the respondent, is hereby vacated. The portion of the order imposing a fee sanction remains.