

**SUPREME COURT OF OHIO**

**COLUMBUS**

**ANNOUNCEMENT**

1:00 P.M.

WEDNESDAY  
October 13, 1999

**MERIT DOCKET**

**98-520. State v. Bays.**

Greene App. No. 95-CA-118. Judgment affirmed.

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

**98-573. State ex rel. Litco Wood Products, Inc. v. Ohio Bur. of Workers' Comp.**

Franklin App. No. 96APD08-1036. Judgment affirmed and writ denied.

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

**98-1607. Hillyer v. State Farm Ins. Co.**

Lake App. No. 97-L-031. *Sua sponte*, cause dismissed as having been  
improvidently allowed.

Moyer, C.J., Douglas, Resnick and Lundberg Stratton, JJ., concur.

F.E. Sweeney and Pfeifer, JJ., dissent.

Cook, J., dissents.

**98-1674. Sheffield v. Rowland.**

Lorain App. No. 97CA006847. Judgment affirmed.

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

Cook, J., dissents.

**98-2091. Nuss v. Hand-Craft Cleaners.**

Summit App. No. 18850. Judgment reversed and cause remanded.

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

**98-2251. True Christianity Evangelism v. Tracy.**

Board of Tax Appeals, No. 96-K-904. Decision reversed and cause remanded.

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

**98-2292. State v. Koogler.**

Franklin App. No. 98AP-219. *Sua sponte*, cause dismissed as having been  
improvidently allowed.

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

**98-2614. State ex rel. Rainey v. Indus. Comm.**

Franklin App. No. 97APD08-1124. Judgment affirmed consistent with the opinion  
of the court of appeals.

Moyer, C.J., Pfeifer, Cook and Lundberg Stratton, JJ., concur.

Douglas, Resnick and F.E. Sweeney, JJ., dissent.

**98-2695. State ex rel. Trejbal v. Indus. Comm.**

Franklin App. No. 97APD08-1131. Judgment affirmed consistent with the opinion  
of the court of appeals.

Moyer, C.J., Pfeifer, Cook and Lundberg Stratton, JJ., concur.

Douglas, Resnick and F.E. Sweeney, JJ., dissent.

**99-43. State ex rel. Hutchinson v. Indus. Comm.**

Franklin App. No. 97APD12-1677. Judgment affirmed consistent with the opinion  
of the court of appeals.

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

**99-68. State ex rel. Cooper v. Indus. Comm.**

Franklin App. No. 97APD11-1555. Judgment affirmed consistent with the opinion of the court of appeals.

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

**99-133. State ex rel. Fairchild v. Indus. Comm.**

Franklin App. No. 97APD12-1705. Judgment affirmed consistent with the opinion of the court of appeals.

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

**99-154. State ex rel. Somerville v. Conrad.**

Franklin App. No. 97APD12-1621. Judgment affirmed consistent with the opinion of the court of appeals.

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

**99-183. State ex rel. Rubbermaid Inc. v. Indus. Comm.**

Franklin App. No. 97APD12-1618. Judgment affirmed consistent with the opinion of the court of appeals.

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

**99-212. State ex rel. Green v. Indus. Comm.**

Franklin App. No. 97APD11-1557. Judgment reversed and cause returned to the Industrial Commission for *State ex rel. Gay* relief.

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

**99-372. Cincinnati Bar Assn. v. Harwood.**

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 96-106.

David J. Harwood is suspended from the practice of law for two years, with the second year stayed on conditions.

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

Cook, J., concurs in judgment only.

**99-392. State ex rel. Gilreath v. Indus. Comm.**

Franklin App. No. 98AP-16. Judgment affirmed consistent with the opinion of the court of appeals.

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

**99-393. State ex rel. Ferguson v. Indus. Comm.**

Franklin App. No. 98AP-109. Judgment affirmed consistent with the opinion of the court of appeals.

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

**99-405. Toledo Bar Assn. v. McGill.**

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 97-83.

Michael E. McGill is suspended from the practice of law for eighteen months with the final twelve months stayed.

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

Douglas, J., not participating.

**99-469. State ex rel. Cooper v. Conrad.**

Franklin App. No. 98AP-226. Judgment reversed and cause returned to the Industrial Commission for compliance with *State ex rel. Noll v. Indus. Comm.*

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

Pfeifer, Cook and Lundberg Stratton, JJ., dissent.

**99-491. State ex rel. Crim v. Ohio Adult Parole Auth.**

Franklin App. No. 98AP-680. Judgment affirmed.

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

**99-507. In re Application of Kapel.**

On Report by the Board of Commissioners on Character and Fitness of the Supreme Court, No. 153. Application denied and applicant is never to be admitted to the practice of law in Ohio.

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

**99-606. State ex rel. Americare Corp. v. Indus. Comm.**

Franklin App. No. 98AP-354. Judgment reversed and order of Industrial Commission reinstated.

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

**99-833. Columbus Bar Assn. v. Bowen.**

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 98-36.

John W.E. Bowen is suspended from the practice of law for six months.

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

**99-920. Abbott v. Haight Properties, Inc.**

Lucas App. No. L-98-1413. Judgment reversed and cause remanded.

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

Resnick, J., not participating.

**99-927. State v. Carper.**

Fayette App. No. CA98-06-009. Judgment affirmed.

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

Pfeifer, J., dissents.

**99-1033. Wilkerson v. Mitchell.**

Richland App. No. 99 CA 29. Judgment affirmed.

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