

**SUPREME COURT OF OHIO**

**COLUMBUS**

**ANNOUNCEMENT**

WEDNESDAY

April 28, 1999

**MOTION DOCKET**

**97-1880. Worthington City School Dist. Bd. of Edn. v. Franklin Cty. Bd. of Revision.**

Board of Tax Appeals, No. 96-D-1218. This cause came on for further consideration upon the motion of appellee, Board of Education of Worthington City School District, to withdraw its motion for reconsideration filed on April 9, 1999. Upon consideration thereof,

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

**99-273. Haddad v. Russell.**

In Habeas Corpus. This cause originated in this court on a filing of a petition for a writ of habeas corpus. Upon consideration thereof,

IT IS ORDERED by the court, *sua sponte*, that a writ of habeas corpus be, and hereby is, allowed.

IT IS FURTHER ORDERED by the court that respondent file a return of the writ within twenty days of service of the petition, and petitioner may file a response within ten days of filing of the return.

IT IS FURTHER ORDERED by the court, *sua sponte*, that this cause be consolidated with Supreme Court case No. 98-2694, *State ex rel. Bray v. Russell*.

**99-542. White v. Konteh.**

Trumbull App. No. 99-T-0020. This cause is pending before the court as an appeal from the Court of Appeals for Trumbull County. Upon consideration of the joint motion to clarify court order/decision issued on April 15, 1999, and request for expedited ruling,

The court declines to clarify its order.

**99-605. State v. Reynolds.**

Clermont App. No. CA98-01-006. This cause is pending before the court as a discretionary appeal. Upon consideration of appellant's motion for stay of the court of appeals' judgment,

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

Moyer, C.J., and Resnick, J., dissent.

**MISCELLANEOUS DISMISSALS**

**98-2307. Westerfield v. Metro. Ins. Co.**

Cuyahoga App. No. 73356. This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County. Upon consideration of appellants' 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.

**99-357. Mays v. Moran.**

Ross App. Nos. 97CA2385 and 97CA2386. This cause is pending before the court as a discretionary appeal. Upon consideration of appellants' 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.

**99-503. Lang v. Hamilton Cty. Recorder.**

Hamilton App. No. C-980891. On March 17, 1999, appellant filed a notice of appeal in which he asserted that this case originated in the court of appeals and therefore is an appeal of right pursuant to S.Ct.Prac.R. II(1)(A)(1). In accordance with S.Ct.Prac.R. V(3), the Clerk of the Supreme Court issued an order for transmittal of the record from the court of appeals. The record was filed on March 24, 1999. Upon review of the record,

It is determined by the court that this case did not originate in the court of appeals but is instead a discretionary appeal and/or claimed appeal of right as defined by S.Ct.Prac.R. II(1)(A)(2) and (1)(A)(3). Whereas appellant did not file a memorandum in support of jurisdiction required to perfect such an appeal in accordance with S.Ct.Prac.R. II(2)(A)(1),

IT IS ORDERED by the court, *sua sponte*, that this case be, and hereby is, dismissed.