

**SUPREME COURT OF OHIO**

**COLUMBUS**

**ANNOUNCEMENT**

9:00 A.M.

WEDNESDAY  
September 8, 1999

**MERIT DOCKET**

**98-19. State v. Fears.**

Hamilton App. No. B9702360B. Judgment affirmed.

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

**98-1156. Bagnoli v. Northbrook Prop. & Cas. Ins. Co.**

Stark App. No. 97CA00415. Judgment reversed and cause remanded.

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

**98-1855. Plumbers & Steamfitters Local Union 83 v. Union Local School Dist.  
Bd. of Edn.**

Belmont App. No. 97-BA-40. Judgment reversed and cause remanded.

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

**98-1857. E. Liverpool v. Columbiana Cty. Budget Comm.**

Board of Tax Appeals, Nos. 97-D-1516 and 97-D-1517. Decision reversed.

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

**98-1925. State v. Wharf.**

Warren App. No. CA97-08-087. Judgment affirmed.

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

**98-1961. State ex rel. Yust v. Indus. Comm.**

Franklin App. No. 97APD05-684. 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.

**98-2063. State ex rel. Ruffin v. Indus. Comm.**

Franklin App. No. 97APD08-1029. 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.

**98-2086. State ex rel. Butler v. Indus. Comm.**

Franklin App. No. 97APD07-922. Judgment reversed and relief consistent with *State ex rel. Gay* ordered.

Douglas, Resnick, F.E. Sweeney and Pfeifer, JJ., concur.

Moyer, C.J., Cook and Lundberg Stratton, JJ., dissent.

**98-2144. State v. Weitbrecht.**

Holmes App. No. 97CA588. Judgment reversed and cause remanded.

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

Pfeifer, J., dissents.

**98-2182. State ex rel. Klima v. Indus. Comm.**

Franklin App. No. 97APD04-521. Judgment affirmed consistent with the opinion of the court of appeals.

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

Douglas and Resnick, JJ., dissent.

**98-2210. State ex rel. Vance v. Rockwell Internatl.**

Franklin App. No. 97APD06-869. 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.

**98-2220. State ex rel. Johnson v. Indus. Comm.**

Franklin App. No. 97APD10-1391. 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.

**98-2238. State ex rel. Povzner v. Indus. Comm.**

Franklin App. No. 97APD10-1319. 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.

**98-2295. State ex rel. Taxpayers Coalition v. Lakewood.**

In Mandamus. Writ denied.

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

**98-2305. State ex rel. Roy v. Indus. Comm.**

Franklin App. No. 97APD06-741. Judgment affirmed consistent with the opinion of the court of appeals.

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

Douglas and Resnick, JJ., dissent.

**98-2603. State v. Edmonson.**

Portage App. No. 97-P-0067. Judgment affirmed.

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

Resnick, J., concurs in judgment only.

**98-2723. Ohio State Bar Assn. v. Kanter.**

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 97-48.

Frederick D. Kanter is suspended from the practice of law for two years.

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

**99-146. Estate of Dillard v. Liberty Mut. Ins. Co.**

Stark App. No. 1998CA00161. Judgment reversed and judgment of trial court reinstated.

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

Cook and Lundberg Stratton, JJ., dissent.

**99-404. Cleveland Bar Assn. v. Simakis.**

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 97-18.

George K. Simakis is suspended from the practice of law for six months. See opinion.

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

**99-806. Cuyahoga Cty. Bar Assn. v. Vitullo.**

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 98-29.

John W. Vitullo is indefinitely suspended from the practice of law.

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

Cook, J., dissents.

**99-808. Cuyahoga Cty. Bar Assn. v. Muhlbach.**

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 98-39.

P. Michael Muhlbach is suspended from the practice of law for one year.

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

**99-809. Clermont Cty. Bar Assn. v. Compton.**

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 98-42.

Ross H. Compton, Jr. is indefinitely suspended from the practice of law.

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

**99-834. Cleveland Bar Assn. v. Cicirella.**

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 98-44.

Leonette F. Cicirella is suspended from the practice of law for two years with one year stayed.

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

**99-836. Cincinnati Bar Assn. v. Reis.**

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 98-35.

Margaret A. Reis is permanently disbarred.

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

**99-837. Disciplinary Counsel v. Roberts.**

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 97-94.

Thomas Wayne Roberts is permanently disbarred.

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

**DISMISSALS, SUA SPONTE, NO SUBSTANTIAL  
CONSTITUTIONAL QUESTION AND DISCRETIONARY  
APPEALS, IF APPLICABLE, NOT ALLOWED**

**99-1054. State v. Ewing.**

Lorain App. No. 97CA006944.

Moyer, C.J., dissents, would allow, and would remand for application of *State v. Edmonson* (1999), \_\_\_ Ohio St.3d \_\_\_, \_\_\_ N.E.2d \_\_\_, decided today.