

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

THURSDAY

June 8, 2000

MOTION DOCKET

99-2236. Kenney v. Henry Fischer Builder, Inc.

Hamilton App. No. C-990591. This cause came on for further consideration upon the motion for sanctions against appellants for frivolous action filed by appellees Henry Fischer Builder, Inc., and Victory Mortgage, Ltd. On May 3, 2000, this court granted appellees' motion for sanctions against appellants and ordered appellees to submit a detailed bill and documentation of the expenses and attorney fees in connection with this appeal within twenty days of the date of the entry.

On May 24, 2000, appellants filed a motion to vacate the entry granting the motion for sanctions. On May 25, 2000, appellees filed a memorandum opposing the motion to vacate and set aside motion for sanctions.

Whereas appellees failed to file the detailed bill and documentation of expenses and attorney fees in compliance with the order entered May 3, 2000,

IT IS ORDERED by the court, *sua sponte*, effective June 7, 2000, that the matter of imposition of sanctions against appellants is dismissed.

IT IS FURTHER ORDERED by the court, *sua sponte*, that appellees' motion to vacate the entry imposing sanctions upon appellants is denied as moot.

00-650. Aristech Chem. Corp. v. Tracy.

Board of Tax Appeals, No. 97-M-586. This cause is pending before the court as an appeal from the Board of Tax Appeals. Upon consideration of the joint motion to stay briefing schedule with request to expedite,

IT IS ORDERED by the court that the joint motion to stay briefing schedule be, and hereby is, granted, effective June 7, 2000.

MISCELLANEOUS DISMISSALS

98-2093. State ex rel. Cyclops Corp./Empire Detroit Steel Div. v. Conrad.

In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus. Upon consideration of relator'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, effective June 7, 2000.

00-520. State v. Vender.

Medina App. No. 2614-M. This cause is pending before the court as a discretionary appeal and a claimed appeal of right. It appears from the records of this court that appellant has not filed a memorandum in support of jurisdiction, due June 2, 2000, in compliance with the Rules of Practice of the Supreme Court and therefore has failed to prosecute this case with the requisite diligence. Upon consideration thereof,

IT IS ORDERED by the court that this cause be, and hereby is dismissed, *sua sponte*, effective June 7, 2000.

00-969. State v. Noble.

Lorain App. No. 98CA007087. This cause is pending before the court as a discretionary appeal and a claimed appeal of right. 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, effective June 7, 2000.

MISCELLANEOUS DOCKET

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

Roy Winfield Short : ENTRY
(#0011337),
Respondent.

This matter originated in this court on the filing of reports 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 above-named respondent for failure to comply with the provisions of Gov.Bar R. X, Attorney Continuing Legal Education, for the 1995-1996 and 1997-1998 reporting periods.

On March 19, 1998, and April 5, 2000, pursuant to Gov.Bar R. X(6)(B)(3), this court entered orders adopting the recommendations of the commission, and imposed fee sanctions upon the respondent. In the order entered April 5, 2000, this court also suspended the respondent from the practice of law.

It has now come to the court’s attention that the respondent has been deceased since April 18, 1996. Accordingly,

IT IS ORDERED by the court, *sua sponte*, that the orders of March 19, 1998, and April 5, 2000, be, and hereby are, vacated.

IT IS FURTHER ORDERED that this matter be dismissed, effective June 7, 2000.