

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

9:00 A.M.

WEDNESDAY
August 9, 2000

MERIT DOCKET

00-364. State ex rel. Felson v. McHenry.

In Mandamus. Upon the return of this cause to the regular docket and consideration of relators' motions for leave to file an amended complaint and to establish a discovery and briefing schedule,

IT IS ORDERED that relators' motion for leave to file an amended complaint be, and hereby is, GRANTED.

IT IS FURTHER ORDERED that the cause be, and hereby is, DISMISSED because relators have an adequate remedy in the ordinary course of law.

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

Douglas, Pfeifer and Lundberg Stratton, JJ., dissent and would grant relators' motion for leave to file an amended complaint and to establish a discovery and briefing schedule; dismiss respondents Powell McHenry, John K. Issenman, Mary W. Sullivan, Richard B. Tranter, John S. Wirthlin, and Hamilton County Public Defender Commission; order that the parties submit their evidence in this case within six months of the date of this entry, relators file their merit brief within thirty days after the submission of evidence, respondents file their merit brief within thirty days after the filing of relators' merit brief, and relators file a reply brief within twenty days thereafter; and order *sua sponte* that this cause be scheduled for oral argument.

00-696. State ex rel. Montgomery v. Bolt-Meredith.

In Mandamus. On answer of respondent Judge Cassandra Bolt-Meredith, answer of respondent Rodney T. Chandler, and motion for judgment on pleadings. Cause dismissed on S.Ct.Prac.R. X(5) determination.

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

Moyer, C.J., and Douglas, J., would grant respondents' motion for judgment on the pleadings in part and deny it in part, dismiss relator Wilkinson for lack of standing, dismiss relator Montgomery's claims concerning *res judicata* and in personam jurisdiction, grant an alternative writ regarding relator Montgomery's subject-matter jurisdiction claim concerning Crim.R. 33, and issue a schedule for presentation of evidence and briefing on that claim.