

**SUPREME COURT OF OHIO**

**COLUMBUS**

**ANNOUNCEMENT**

MONDAY  
September 25, 2000

**MOTION DOCKET**

**88-1982. State v. Moreland.**

Montgomery App. No. 9907. Upon consideration of the motion filed by counsel for appellant to reinstate stay of execution in the above-styled cause pending the exhaustion of state post-conviction remedies,

IT IS ORDERED by the court that said motion be, and the same is hereby, granted.

IT IS FURTHER ORDERED by the court that execution of sentence be, and the same is hereby, stayed, pending the exhaustion of all proceedings for post-conviction relief before courts of this state, including any appeals.

IT IS FURTHER ORDERED that counsel for the appellant and for the appellee shall notify this court when all proceedings for post-conviction relief before courts of this state, including any appeals, have been exhausted.

**00-1193. State ex rel. Borger v. Cissell.**

In Mandamus. On September 19, 2000, relator filed a request for an extension of time to file evidence and motion for an oral hearing with witnesses. Whereas a motion for hearing is not a permissible filing by facsimile pursuant to S.Ct.Prac.R. XIV(1)(B)(1),

IT IS ORDERED by the court that the motion for an oral hearing with witnesses be, and hereby is, stricken.

IT IS FURTHER ORDERED by the court that the time for filing evidence is hereby extended to September 29, 2000.

**DISCRETIONARY APPEALS ALLOWED**

**00-1067. Barberic v. Catholic Diocese of Cleveland.**

Cuyahoga App. No. 77796.

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

Peggy Bryant, J., of the Tenth Appellate District, sitting for Resnick, J.

**MISCELLANEOUS DISMISSALS**

**00-1351. State ex rel. Belcher v. Brooks.**

Richland App. No. 00CA51. This cause is pending before the court as an appeal from the Court of Appeals for Richland County. It appears from the records of this court that appellant has not filed a merit brief, due September 18, 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*.