

The Supreme Court of Ohio

March 14, 2002

CASE ANNOUNCEMENTS

MOTION AND PROCEDURAL RULINGS

87-192. State v. Coleman.

Hamilton App. No. C-850340. Upon consideration of appellant's motion to amend execution date,

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

01-1417. Valentine v. Willard & Assoc. Title Search.

Fairfield App. No. 01CA15. This cause is pending before the court as an appeal from the Court of Appeals for Fairfield County. Upon consideration of the motion of *amici curiae*, the Ohio Land Title Association and the Ohio State Bar Association, to participate in oral argument scheduled for April 24, 2002,

IT IS ORDERED by the court that the motion to participate in oral argument be, and hereby is, granted, and *amici curiae* shall share the time allotted to appellees.

01-2158. Perotti v. Ishee.

Mahoning App. No. 01CA88. This cause was filed as a discretionary appeal and claimed appeal of right. On March 4, 2002, this court declined jurisdiction and dismissed this appeal as not involving a substantial constitutional question. Upon *sua sponte* reconsideration of appellant's jurisdictional memorandum, it is determined by the court that this cause originated in the court of appeals and therefore should have proceeded as an appeal of right pursuant to S.Ct.Prac.R. II(1)(A)(1).

IT IS ORDERED by the court, *sua sponte*, that this appeal be restored to the docket and proceed as an appeal of right; the Clerk shall issue an order for the

transmittal of the record from the Court of Appeals for Mahoning County; and the parties shall proceed in accordance with S.Ct.Prac.R. VI.

02-404. Palco Invest. Co. v. Springfield.

Clark App. No. 2002CA22. This cause is pending before the court as a discretionary appeal and a claimed appeal of right. Upon consideration of appellants' motion for emergency alternative R.C. 2503.40 writ to stay enforcement pending appeal,

IT IS ORDERED by the court that the motion be, and hereby is, denied.
Douglas and Resnick, JJ., dissent.

DISCIPLINARY CASES

01-1994. Disciplinary Counsel v. Callaghan.

On June 1, 2001, this court suspended respondent, Thomas Callaghan, from the practice of law pursuant to Gov.Bar. R. X(6)(B)(3), and Gov.Bar. R. X(5)(A)(4). On March 12, 2002, respondent appeared before this court pursuant to an order to appear and show cause why he should not be held in contempt for failing to obey the order entered June 1, 2001. Upon consideration thereof,

IT IS ORDERED by the court that respondent, Thomas Callaghan (Attorney Registration No. 0021661), is held in contempt and shall cease and desist from the practice of law in any form until respondent is reinstated by order of this court.

IT IS FURTHER ORDERED that respondent shall not be reinstated to the practice of law until (1) respondent satisfies the continuing legal education requirements of Gov.Bar. R. X and complies with the requirements for reinstatement set forth in Gov.Bar R. X(7); (2) respondent complies with the Supreme Court Rules for the Government of the Bar of Ohio; (3) respondent complies with this and all other orders of the court; and (4) this court orders respondent reinstated.

Further sanctions are withheld provided respondent commits no further violations of this court's orders.

MISCELLANEOUS DISMISSALS

02-333. State v. Pruitt.

Trumbull App. No. 2001-T-0121. 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.

MISCELLANEOUS ORDERS

In re Report of the Commission :
on Continuing Legal Education. :
: E N T R Y
Mark Steven Sinkiewicz :
(#0060022), :
Respondent. :

This matter originated in this court on the filing of a report 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 certain attorneys, including the above-named respondent, for failure to comply with the provisions of Gov.Bar R. X, Attorney Continuing Legal Education, for the 1997-1998 reporting period.

On April 6, 2000, this court adopted the recommendation of the commission, imposed a sanction fee upon the respondent and suspended the respondent from the practice of law pursuant to Gov.Bar R. X(6)(B)(3), and Gov.Bar R. X(5)(A)(4). The court further ordered that respondent shall not be reinstated to the practice of law in Ohio until respondent complies with the requirements for reinstatement set forth in Gov.Bar R. X(7); respondent complies with the Supreme Court Rules for the Government of the Bar of Ohio, respondent complies with this and all other orders of the court, and this court orders respondent reinstated.

On March 7, 2002, the commission filed a recommendation pursuant to Gov.Bar R. X(7)(B)(2), finding that the respondent has paid all fees assessed for noncompliance, has made up all deficiencies and is now in full compliance with all requirements of Gov.Bar R. X, and recommending that the respondent be reinstated to the practice of law in Ohio. On March 7, 2002, the commission certified that respondent had completed the credit hours of continuing legal education required during his suspension by this court’s order of suspension. Upon consideration thereof,

IT IS ORDERED by the court that the recommendation of the commission is adopted and respondent, Mark Steven Sinkiewicz, is hereby reinstated to the practice of law.