

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

June 13, 2003

MOTION AND PROCEDURAL RULINGS

2003-0164. Myers v. Ohio Bur. of Workers' Comp.

Mahoning App. No. 01CA131, 2003-Ohio-1430. This cause came on for further consideration upon the amicus curiae motion of Industrial Commission of Ohio for leave to file under S.Ct.Prac.R. XI. Upon consideration thereof,

IT IS ORDERED by the court that the motion be, and hereby is, granted, and amicus must file its motion within ten days of the date of this entry.

Lundberg Stratton and O'Connor, JJ., dissent.

APPEALS ACCEPTED FOR REVIEW

2003-0033. State v. Colbert.

Cuyahoga App. No. 80361, 2002-Ohio-6315. Upon consideration of the jurisdictional memoranda filed in this case, the court hereby allows the appeal and denies the cross-appeal.

IT IS ORDERED by the court, sua sponte, that this cause be held for the decision in Supreme Court case No. 2002-1888, *State v. Jordan*, Cuyahoga App. No. 80675, 2002-Ohio-4587.

IT IS FURTHER ORDERED by the court that the Clerk shall issue an order for the transmittal of the record from the Court of Appeals for Cuyahoga County.

IT IS FURTHER ORDERED that the briefing schedule be stayed.

Resnick, F.E. Sweeney and O'Donnell, JJ., dissent from the allowance of the appeal.

Pfeifer, Lundberg Stratton and O'Connor, JJ., dissent from the denial of the cross-appeal.

MISCELLANEOUS ORDERS

1999-0157. Cincinnati Bar Assn. v. Bailey.

On April 24, 2003, this court ordered that respondent, Donald L. Bailey, be incarcerated in the Franklin County Jail for a period of 10 days and that the jail time be suspended provided respondent purged himself of contempt.

This court further ordered that movant, Cincinnati Bar Association, file a notice, within 40 days of the date of the order, informing this court whether or not respondent had reimbursed the Cincinnati Bar Association \$375 for attorney fees and whether respondent had fully complied with the subpoena duces tecum issued by the Board of Commissioners on the Unauthorized Practice of Law.

This court further ordered that should respondent, Donald L. Bailey, fail to comply with the order entered April 24, 2003, he shall be incarcerated in the Franklin County Jail for a period of no less than 10 days and as long thereafter as he shall fail to purge himself of the contempt of this court.

On June 3, 2003, movant filed a notice informing this court that respondent had failed to fully comply with the April 24, 2003 order because he had not provided all documents requested in the subpoena duces tecum. Upon consideration thereof,

IT IS ORDERED by the court that Donald L. Bailey shall serve his sentence in the Franklin County Jail beginning on Wednesday, June 25, 2003, for his failure to comply with this court's order of April 24, 2003, and that he shall remain incarcerated until he has purged himself of contempt and this court orders his release.

IT IS ORDERED by the court that a writ of commitment shall be issued commanding the Sheriff of Franklin County to imprison Donald L. Bailey, last known business address in Columbus, Ohio, for a period of no less than 10 days, and as long thereafter as he shall fail to purge himself of the contempt of this court and until this court orders his release.

IT IS FURTHER ORDERED by the court that movant, Cincinnati Bar Association, shall immediately file, by facsimile, a notice with this court upon Donald L. Bailey's compliance with the April 24, 2003 order.

IT IS FURTHER ORDERED by the court that, upon notice by movant that respondent has fully complied with the subpoena duces tecum, this court will suspend respondent's sentence or, if respondent is serving his sentence, will order his release.