

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

December 20, 2004

MOTION AND PROCEDURAL RULINGS

2001-1589. State v. Leonard.

Hamilton C.P. No. B0005891. This cause came on for further consideration of appellant's motion for stay of execution pending disposition of state remedies. Upon consideration thereof,

IT IS ORDERED by the court that the motion for stay be, and hereby is, granted.

IT IS FURTHER ORDERED by the court that this stay shall remain in effect until exhaustion of all state post-conviction proceedings, including any appeals.

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

2004-1163. State v. Johnson.

Guernsey App. No. 03CR116. This cause is pending before the court as a death penalty appeal from the Court of Common Pleas of Guernsey County. Upon consideration of appellant's motion to supplement the record with jury questionnaires,

IT IS ORDERED by the court that the motion be, and hereby is, granted and that the Clerk of the Guernsey County Court of Common Pleas certify and transmit all jury questionnaires used during voir dire proceedings at trial to the Clerk of this court within fourteen days of the date of this entry.

DISCIPLINARY CASES

2004-1717. In re Resignation of Politi.

On affidavit of resignation from the practice of law of Diane Yvette Politi, Attorney Registration No. 0041059, and on report filed under seal by Disciplinary Counsel.

Resignation accepted with disciplinary action pending.

2004-1786. In re Resignation of Sims.

On affidavit of resignation from the practice of law of David Scott Sims, Attorney Registration No. 0039168, and on report filed under seal by Disciplinary Counsel.

Resignation accepted with disciplinary action pending.

2004-1788. In re Resignation of Roth.

On affidavit of resignation from the practice of law of David Barry Roth, Attorney Registration No. 0038264, and on report filed under seal by Disciplinary Counsel.

Resignation accepted with disciplinary action pending.

2004-1838. In re Resignation of Hamilton.

On affidavit of resignation from the practice of law of Jerome Robert Hamilton, Attorney Registration No. 0072177, and on report filed under seal by Disciplinary Counsel.

Resignation accepted with disciplinary action pending.

MISCELLANEOUS DISMISSALS

2004-0001. Academy of Medicine of Cincinnati v. Aetna Health, Inc.

Hamilton App. Nos. C-030109, C-030110 and C-030111, 155 Ohio App.3d 310, 2003-Ohio-6194. This cause is pending before the court as a discretionary appeal. Upon consideration of appellant Aetna Health, Inc.'s application for dismissal,

IT IS ORDERED by the court that the application for dismissal be, and hereby is, granted.

IT IS FURTHER ORDERED by the court that the appeals of Community Insurance Company and United Healthcare of Ohio, Inc., remain pending.

2004-1472. State ex rel. GMRI, Inc. v. Indus. Comm.

Franklin App. No. 03AP-931, 2004-Ohio-3842. This cause is pending before the court as an appeal and cross-appeal from the Court of Appeals for Franklin County. It appears from the records of this court that appellant/cross-appellee has not filed a merit brief, due December 13, 2004, in compliance with the Rules of Practice of the Supreme Court and therefore has failed to prosecute this cause with the requisite diligence. Upon consideration thereof,

IT IS ORDERED by the court that the appeal of Rose Safcik be, and hereby is, dismissed sua sponte.

IT IS FURTHER ORDERED that the cross-appeal of GMRI, Inc., remains pending and GMRI, Inc. shall proceed as the appellant herein. GMRI, Inc. shall file a merit brief within 30 days of the date of this entry and the parties shall otherwise proceed in accordance with S.Ct.Prac.R. VI.

2004-1490. State ex rel. Miami Valley Broadcasting Corp. v. Davis.

Montgomery App. No. 20587, 2004-Ohio-3860. This cause is pending before the court as an appeal from the Court of Appeals for Montgomery County. Upon consideration of appellant Barbara L. Sager'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.

MEDIATION REFERRALS

The following cases have been returned to the regular docket pursuant to S.Ct.Prac.R. XIV(6)(E):

2004-1351. State ex rel. Dayton Newspaper, Inc. v. Petro.
In Mandamus.