

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

November 17, 2005

[Cite as *11/17/2005 Case Announcements, 2005-Ohio-6089.*]

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## MOTION AND PROCEDURAL RULINGS

### **2003-1572. State ex rel. Howard v. Indus. Comm.**

Franklin App. No. 97AP-860. This cause came on for further consideration of appellant's motion for leave to subpoena documents and/or the appearance of the Bureau of Workers' Compensation administrator to the hearing scheduled for November 29, 2005. Upon consideration thereof,

IT IS ORDERED by the court that the motion is denied.

### **2003-1572. State ex rel. Howard v. Indus. Comm.**

Franklin App. No. 97AP-860. This cause came on for further consideration of appellant's motion for leave to read and/or submit argument in written form for the November 29, 2005, contempt hearing. Upon consideration thereof,

IT IS ORDERED by the court that the motion for leave is granted. Appellant shall file any written argument he intends to present by November 22, 2005, and shall serve a copy of the written argument on the appellees.

IT IS FURTHER ORDERED that any written argument that is filed is not a substitution for appellant's appearance, and appellant is still required to appear before this court on November 29, 2005, at 9:00 a.m.

### **2005-0160. Am. Financial Serv. Assn. v. Cleveland.**

Cuyahoga App. No. 83676, 2004-Ohio-6416. This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County. Upon consideration of the motion of amicus curiae, the Ohio Municipal League, for leave to file a memorandum in opposition to the motion of American Financial Services Association to consider 2005-0160 and 2005-0161, *Am. Financial Serv. Assn. v. Cleveland*, Cuyahoga App. No. 83676, 2004-Ohio-6416, prior to entry of

judgment in 2004-1829, *Cincinnati v. Baskin*, Hamilton App. No. C-030864, 158 Ohio App.3d 539, 2004-Ohio-5055,

IT IS ORDERED by the court that the motion for leave is granted, and amicus shall file its memorandum within seven days of the date of this entry.

**2005-0161. Am. Financial Serv. Assn. v. Cleveland.**

Cuyahoga App. No. 83676, 2004-Ohio-6416. This cause is pending before the court on the certification of a conflict from the Court of Appeals for Cuyahoga County. Upon consideration of the motion of amicus curiae, the Ohio Municipal League, for leave to file a memorandum in opposition to the motion of American Financial Services Association to consider 2005-0160 and 2005-0161, *Am. Financial Serv. Assn. v. Cleveland*, Cuyahoga App. No. 83676, 2004-Ohio-6416, prior to entry of judgment in 2004-1829, *Cincinnati v. Baskin*, Hamilton App. No. C-030864, 158 Ohio App.3d 539, 2004-Ohio-5055,

IT IS ORDERED by the court that the motion for leave is granted, and amicus shall file its memorandum within seven days of the date of this entry.

**RECONSIDERATION OF PRIOR DECISIONS**

**2005-1774. State v. Cuevas.**

Butler App. No. CA2004-12-299. Reported at \_\_\_ Ohio St.3d \_\_\_, 2005-Ohio-5814, \_\_\_ N.E.2d \_\_\_. On motion for reconsideration. Motion denied.

**MISCELLANEOUS DISMISSALS**

**2005-0354. Bartlett v. Jefferson County Court of Common Pleas.**

Jefferson App. No. 04JE28, 2004-Ohio-7217. This cause is pending before the court as an appeal from the Court of Appeals for Jefferson County. Upon consideration of appellant's application for dismissal,

IT IS ORDERED by the court that the application for dismissal is granted. Accordingly, this cause is dismissed.

**2005-0968. State v. Gokey.**

Cuyahoga App. No. 85827. This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County. Upon consideration of appellant's application for dismissal,

IT IS ORDERED by the court that the application for dismissal is granted. Accordingly, this cause is dismissed.

**2005-1794. Perkowski v. Nutting.**

Cuyahoga App. No. 86649. This cause is pending before the court as a discretionary appeal. Upon consideration of appellant's application for dismissal,

IT IS ORDERED by the court that the application for dismissal is granted.

ACCORDINGLY, IT IS FURTHER ORDERED by the court that this cause is dismissed.

### **MEDIATION REFERRALS**

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

**2005-1689. State ex rel. Gross v. Indus. Comm.**

Franklin App. No. 04AP-756, 2005-Ohio-3936.