

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

December 15, 2005

[Cite as *12/15/2005 Case Announcements*, 2005-Ohio-6623.]

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## MOTION AND PROCEDURAL RULINGS

### **2005-1074. Silver Lake v. Metro Regional Transit Auth.**

Summit App. No. 22199, 2005-Ohio-2157. This cause is pending before the court as an appeal from the Court of Appeals for Summit County. On November 29, 2005, appellee filed a motion to supplement the record. The court finds that the exhibits appellee seeks to supplement are already part of the record certified and transmitted to this court by the court of appeals. Accordingly,

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

2005-2249. State v. Franklin.

Montgomery App. No. 19041, 2002-Ohio-2370. This cause is pending before this court as a discretionary appeal and claimed appeal of right. On November 28, 2005, appellant filed a motion to clarify the record, asserting that the Clerk failed to properly docket his appeal on October 21, 2005. It appearing to the court that this case has since been properly docketed,

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

## MISCELLANEOUS DISMISSALS

### **2005-1825. State v. Askew.**

Montgomery App. No. 20110, 2005-Ohio-4026. This cause is pending before the court as a discretionary appeal and claimed appeal of right. 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.

## MISCELLANEOUS ORDERS

In re Report of the Commission  
on Continuing Legal Education

ENTRY

Francis Xavier Marnell  
(0011271), 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 and judges, including the above-named respondent, for failure to comply with the applicable continuing legal education provisions of Gov.Bar R. X and Gov.Jud.R. IV for the 2003-2004 reporting period.

It has now come to the court's attention that the respondent is deceased. Upon consideration thereof,

It is ordered by the court that the recommendation of a sanction against the above-named respondent, and the related matter now pending before the court, are hereby dismissed.

In re Report of the Commission  
on Continuing Legal Education

ENTRY

Lawrence Frederick Miller  
(0011640), 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 and judges, including the above-named respondent, for failure to comply with the applicable continuing legal education provisions of Gov.Bar R. X and Gov.Jud.R. IV for the 2003-2004 reporting period.

It has now come to the court's attention that the respondent is deceased. Upon consideration thereof,

It is ordered by the court that the recommendation of a sanction against the above-named respondent, and the related matter now pending before the court, are hereby dismissed.

In re Report of the Commission  
on Continuing Legal Education

ENTRY

Terrie Jo Restivo-Mock  
(0059958), 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 and judges, including the above-named respondent, for failure to comply with the applicable continuing legal education provisions of Gov.Bar R. X and Gov.Jud.R. IV for the 2003-2004 reporting period.

It has now come to the court's attention that the respondent is deceased. Upon consideration thereof,

It is ordered by the court that the recommendation of a sanction against the above-named respondent, and the related matter now pending before the court, are hereby dismissed.

### **MEDIATION REFERRALS**

The following case has been referred to mediation pursuant to S.Ct.Prac.R. XIV(6):

**2005-2311. Bedford Bd. of Edn. v. Cuyahoga Cty. Bd. of Revision.**  
Board of Tax Appeals, No. 2004-A-287.

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

**2005-2006. State ex rel. Honda of Am. Mfg., Inc. v. Indus. Comm.**  
Franklin App. No. 04AP-765, 2005-Ohio-4672.