

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

April 6, 2007

[Cite as *04/06/2007 Case Announcements, 2007-Ohio-1605.*]

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### MERIT DECISIONS WITHOUT OPINIONS

**2007-0033. Ohio Consumers' Counsel v. Pub. Util. Comm.**

Public Utilities Commission, No. 05-1444-GA-UNC. On appellant's motion for stay of appeal or, in the alternative, to stay briefing, and appellee's motion to dismiss. Motion to dismiss granted. Motion for stay denied as moot. Cause dismissed.

Moyer, C.J., Lundberg Stratton, O'Connor, O'Donnell and Lanzinger, JJ., concur.

Pfeifer and Cupp, JJ., would allow appellant to file a memorandum in opposition to the motion to dismiss.

### MOTION AND PROCEDURAL RULINGS

**2006-0540. Zappitelli v. Miller.**

Cuyahoga App. No. 85895, 2006-Ohio-279. On March 26, 2007, appellants filed a motion to set a supplemental briefing schedule subsequent to oral argument. Appellants' motion does not contain a certificate of service as required by S.Ct.Prac.R. XIV(2)(C)(1). Accordingly,

It is ordered by the court, sua sponte, that the motion to set a supplemental briefing schedule subsequent to oral argument is stricken.

**2006-2135. State v. Wamsley.**

Columbiana App. No. 05 CO 11, 2006-Ohio-5303. This cause is pending before the court as an appeal from the Court of Appeals for Columbiana County. Upon consideration of the motion of Douglas King to withdraw as counsel for appellee,

It is ordered by the court that the motion is granted.

**2007-0358. In re Bozsik.**

Medina App. No. 06CA0026-M. This cause is pending before the court as an appeal from the Court of Appeals for Medina County. Upon consideration of appellant's motion to consolidate this case with 2007-0359, *State ex rel. Bozsik v. Medina Cty. Commrs.*,

It is ordered by the court that the motion is granted.

It is further ordered by the court that briefing in 2007-0358 and 2007-0359 shall be consolidated. The parties shall file two originals of each of the briefs permitted under S.Ct.Prac.R. VI and include both case numbers on the cover page of the briefs. The parties shall otherwise comply with the requirements of S.Ct.Prac.R. VI.

**2007-0359. State ex rel. Bozsik v. Medina Cty. Commrs.**

Medina App. No. 03CA0096-M. This cause is pending before the court as an appeal from the Court of Appeals for Medina County. Upon consideration of appellant's motion to consolidate this case with 2007-0358, *In re Bozsik*,

It is ordered by the court that the motion is granted.

It is further ordered by the court that briefing in 2007-0358 and 2007-0359 shall be consolidated. The parties shall file two originals of each of the briefs permitted under S.Ct.Prac.R. VI and include both case numbers on the cover page of the briefs. The parties shall otherwise comply with the requirements of S.Ct.Prac.R. VI.

**MISCELLANEOUS DISMISSALS**

**2006-1767. State ex rel. Schwebel Baking Co. v. Indus. Comm.**

Franklin App. No. 05AP-1024, 2006-Ohio-4337. This cause is pending before the court as an appeal from the Court of Appeals for Franklin 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.

**2006-2132. State ex rel. Bellamy v. Pinkerton, Inc.**

Franklin App. No. 05AP-1308, 2006-Ohio-5870. This cause is pending before the court as an appeal from the Court of Appeals for Franklin 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.

**2006-2372. State v. Jones.**

Defiance App. No. 4-05-21, 2006-Ohio-514. This cause is pending before the court as a discretionary appeal and claimed appeal of right. It appears from the records of the court that the appellant has not filed a memorandum in support of jurisdiction, due March 30, 2007, 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 this cause is dismissed sua sponte.

**MEDIATION REFERRALS**

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

**2007-0553. Edwards v. Southeast Local School Dist. Bd. of Edn.**

Portage App. No. 2005-P-0057, 2007-Ohio-585.