

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

April 2, 2008

[Cite as *04/02/2008 Case Announcements*, 2008-Ohio-1575.]

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## MERIT DECISIONS WITH OPINIONS

**2007-0877. State ex rel. L.P. Cavett Co. v. Indus. Comm., Slip Opinion No. 2008-Ohio-1430.**

Franklin App. No. 06AP-345. Judgment affirmed.

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

**2007-0980. State v. Mercier, Slip Opinion No. 2008-Ohio-1429.**

Hamilton App. No. C-060490, 2007-Ohio-2017. Judgment affirmed.

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

Pfeifer and Lanzinger, JJ., dissent.

**2007-1605. State v. Pierce, Slip Opinion No. 2008-Ohio-1428.**

Cuyahoga App. No. 88470, 2007-Ohio-3665. The cause is dismissed, sua sponte, as having been improvidently accepted.

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

**2007-1684. Squire v. Geer, Slip Opinion No. 2008-Ohio-1432.**

Franklin App. No. 06AP-1285. Judgment affirmed.

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

**2007-1720. State ex rel. Sautter v. Grey, Slip Opinion No. 2008-Ohio-1444.**

Morrow App. No. 06-CA-6, 2007-Ohio-1831. Judgment reversed and cause remanded.

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

**2007-1982. Keith v. Bobby, Slip Opinion No. 2008-Ohio-1443.**

Portage App. No. 2007-P-0027, 2007-Ohio-5210. Judgment affirmed.

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

O'Donnell, J., not participating.

**2007-2102. State ex rel. Fontanella v. Kontos, Slip Opinion No. 2008-Ohio-1431.**

Trumbull App. No. 2007-T-055, 2007-Ohio-5213. Judgment affirmed.

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

### **DISCIPLINARY CASES**

**2007-0703. In re Resignation of Sagan.**

On affidavit of resignation from the practice of law of Fredric Lewis Sagan, Attorney Registration No. 0009228, and on report filed under seal by Disciplinary Counsel. Resignation accepted.

### **MISCELLANEOUS DISMISSALS**

**2007-2015. State ex rel. Maynard v. Columbus.**

Franklin App. No. 07AP-8, 2007-Ohio-5345. 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.

**2008-0367. Duke Energy Ohio, Inc. v. Pub. Util. Comm.**

Public Utilities Commission, Nos. 03-93-EL-ATA, 03-2079-EL-AAM, 03-2081-EL-AAM, and 03-2080-EL-ATA. This cause is pending before the court as an appeal from the Public Utilities Commission of Ohio. Upon consideration of appellant Duke Energy Ohio, Inc.'s application for dismissal,

It is ordered by the court that the application for dismissal is granted. Accordingly, Duke Energy Ohio, Inc.'s appeal is dismissed.

Upon consideration of the Public Utilities Commission of Ohio and the Office of the Ohio Consumers' Counsel's motions to strike the notice of appeal and to dismiss the appeal of Duke Energy Ohio, Inc.,

It is ordered by the court that the motions are denied as moot.

The appeal of the Office of the Ohio Consumers' Counsel remains pending before the court.