

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

April 18, 2013

[Cite as *04/18/2013 Case Announcements*, 2013-Ohio-1536.]

MERIT DECISIONS WITH OPINIONS

2012-1264 and 2012-1394. State ex rel. Motor Carrier Serv., Inc. v. Rankin, Slip Opinion No. 2013-Ohio-1505.

Franklin App. No. 10AP-1178, 2012-Ohio-2590. Judgment affirmed in case No. 2012-1264, and writ denied in case No. 2012-1394.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, and O'Neill, JJ., concur.

French, J., not participating.

2012-1695. Disciplinary Counsel v. Fletcher, Slip Opinion No. 2013-Ohio-1510.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 11-071. Peter F. Fletcher, Attorney Registration No. 0030992, is permanently disbarred from the practice of law in Ohio.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

2012-1697. Disciplinary Counsel v. DeGidio, Slip Opinion No. 2013-Ohio-1509.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 12-043. Anthony James DeGidio Jr., Attorney Registration No. 0069064, is suspended from the practice of law in Ohio for two years, with the second year stayed on conditions.

Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

O'Connor, C.J., dissents and would impose an indefinite suspension upon respondent.

MOTION AND PROCEDURAL RULINGS

In re Howard.

On September 24, 2004, this court found Gregory T. Howard to be a vexatious litigator under S.Ct.Prac.R. 4.03. This court further ordered that Howard was prohibited from continuing or instituting legal proceedings in the court without obtaining leave. Howard has presented a motion for leave to file five notices of appeals.

It is ordered by the court that the motion for leave to file notices of appeals is denied.

2012-1600. Mann v. Northgate Investors, L.L.C.

Franklin App. No. 11AP-684, 2012-Ohio-2871. This cause is pending before the court on the certification of a conflict by the Court of Appeals for Franklin County.

Upon consideration of the motion of appellee Lauren J. Mann and amicus curiae the Ohio Association for Justice for divided oral-argument time scheduled for Wednesday, April 24, 2013, it is ordered by the court that the motion is granted and amicus curiae shall share the time allotted to appellee.

2012-1644. State v. Jackson.

Trumbull C.P. No. 01-CR-794. This cause is pending before the court as a death-penalty appeal from the Court of Common Pleas of Trumbull County.

Upon consideration of appellant's motion for stay of execution scheduled for August 15, 2013, it is ordered by the court that the motion is granted pending final disposition of his direct appeal.

DISCIPLINARY CASES

2011-1024. Disciplinary Counsel v. Lape.

Lynn Ann Lape, Attorney Registration No. 0068728, is found in contempt for failure to comply with the court's November 10, 2011 order. The previously imposed stay of the six-month suspension is revoked, and she is suspended from the practice of law in Ohio.

2011-2058. Cincinnati Bar Assn. v. Seibel.

Ronald E. Seibel, Attorney Registration No. 0077296, is found in contempt for failure to comply with the court's July 19, 2012 order. He is suspended from the practice of law in Ohio.

2012-1700. Disciplinary Counsel v. Mecklenborg.

On October 9, 2012, the Board of Commissioners on Grievances and Discipline filed a final report in the office of the clerk of this court pursuant to BCGD Proc.Reg. 11(D), in which the board accepted the agreement entered into by relator, disciplinary counsel, and respondent, Robert Paul Mecklenborg. The agreement set forth the misconduct and the agreed recommended sanction of a public reprimand. The board recommended that the agreement be accepted. The court, sua sponte, issued an order waiving the issuance of a show-cause order, and this matter was submitted to the court on the report and record filed by the board.

It is hereby ordered by the court, sua sponte, that the recommended sanction is rejected. It is further ordered that pursuant to Gov.Bar R. V(8)(D), this cause is remanded to the Board of Commissioners on Grievances and Discipline for further proceedings, including consideration of a more severe sanction. Proceedings before this court in this case are stayed until further order of this court. Costs to abide final determination of the case.

MISCELLANEOUS DISMISSALS

2012-0975. State ex rel. Howell v. Indus. Comm.

Franklin App. No. 11AP-370, 2012-Ohio-2040. 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.

MEDIATION MATTERS

The following case has been referred to mediation pursuant to S.Ct.Prac.R. 19.01(A):

2013-0455. Madison Local School Dist. Bd. of Edn. v. Lake Cty. Bd. of Revision.

Board of Tax Appeals, No. 2010-W-2410.

The following case has been returned to the regular docket pursuant to S.Ct.Prac.R. 19.01(E).

Appellant shall file a brief within 40 days of the date of this entry, and the parties shall otherwise proceed in accordance with S.Ct.Prac.R. 16.02 through 16.07. As provided in S.Ct.Prac.R. 16.07, the court may dismiss this case or take other action if the parties fail to timely file merit briefs.

2013-0149. Apple Group Ltd. v. Medina Cty. Bd. of Revision.
Board of Tax Appeals, No. 2009-K-2101.