

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

January 24, 2013

[Cite as *01/24/2013 Case Announcements*, 2013-Ohio-161.]

MERIT DECISIONS WITHOUT OPINIONS

2012-1553. CitiMortgage, Inc. v. Schippel.

Erie App. No. E-11-041, 2012-Ohio-3511. Upon consideration of the jurisdictional memoranda filed in this case, the court accepts the appeal, and this cause is remanded to the court of appeals for application of our decision in Supreme Court Case Nos. 2011-1201 and 2011-1362, *Fed. Home Loan Mtge. Corp. v. Schwartzwald*, 134 Ohio St.3d 13, 2012-Ohio-5017, 979 N.E.2d 1214.

It is further ordered that a mandate be sent to the Court of Appeals for Erie County by certifying a copy of this judgment entry and filing it with the clerk of the Court of Appeals for Erie County.

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

French, J., dissents.

2012-1609. Bank of New York Mellon Trust Co., N.A. v. Shaffer.

Geauga App. No. 2011-G-3051, 2012-Ohio-3638. Upon consideration of the jurisdictional memoranda filed in this case, the court accepts the appeal, and this cause is remanded to the court of appeals for application of our decision in Supreme Court Case Nos. 2011-1201 and 2011-1362, *Fed. Home Loan Mtge. Corp. v. Schwartzwald*, 134 Ohio St.3d 13, 2012-Ohio-5017, 979 N.E.2d 1214.

It is further ordered that a mandate be sent to the Court of Appeals for Geauga County by certifying a copy of this judgment entry and filing it with the clerk of the Court of Appeals for Geauga County.

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

MOTION AND PROCEDURAL RULINGS

In re Henderson.

On January 18, 2012, this court found Paul S. Henderson to be a vexatious litigator under S.Ct.Prac.R. 4.03(B). This court further ordered that Henderson was prohibited from continuing or instituting legal proceedings in this court without first obtaining leave. On January 8, 2013, Henderson submitted an application for leave to file additional documents and recusal request of Supreme Court Chief Justice Maureen O'Connor.

It is ordered by the court that the application for leave is denied.

2012-0252. State v. Lindstrom.

Cuyahoga App. No. 96653, 2011-Ohio-6755. This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County.

Upon consideration of appellee's motion to dismiss appellant state of Ohio's appeal as frivolous and as improvidently accepted, it is ordered by the court that the motion is denied.

Pfeifer and O'Donnell, JJ., dissent.

2012-1325. State v. Holdcroft.

Wyandot App. No. 16-10-13, 2012-Ohio-3066. This cause is pending before the court as an appeal from the Court of Appeals for Wyandot County.

Upon consideration of appellant's motion for appointment of counsel, it is ordered by the court that the motion is granted, and Kristopher A. Haines of the Ohio Public Defender's Office is appointed to represent appellant.

2012-1441. State v. Holdcroft.

Wyandot App. No. 16-10-13, 2012-Ohio-3066. This cause is pending before the court on the certification of a conflict from the Court of Appeals for Wyandot County.

Upon consideration of appellant's motion for appointment of counsel, it is ordered by the court that the motion is granted, and Kristopher A. Haines of the Ohio Public Defender's Office is appointed to represent appellant.

2012-1667. State ex rel. Bloodworth v. Nolan.

In Mandamus. This cause came for further consideration upon the relator's filing of a motion to stay and a motion for leave to file corrected complaint in mandamus. Upon consideration thereof, it is ordered by the court that the motion for leave to file a corrected complaint is denied and the motion for stay is denied as moot.

2012-1971. Gallenstein v. Levin.

Board of Tax Appeals, No. 2008-A-1340. This cause is pending before the court as an appeal from the Board of Tax Appeals.

Upon consideration of the joint motion to supplement the record, it is ordered by the court that the motion is granted. The transmission of record is now deemed complete as of the date of this order.

Upon consideration of the unopposed motion for stay of the briefing schedule, it is ordered by the court that the motion is denied. It is further ordered that the briefing schedule is reset, and appellant's brief shall be due 40 days from the date of this order.

2012-2027. Buess v. Suffolk Cty. Dept. of Social Servs.

This cause came for further consideration upon the petitioner's filing of a motion to move forward, motion for criminal protection order, motion for criminal protection order, and motion to show cause and move forward. Upon consideration thereof, it is ordered by the court that the motions are denied as moot.

MISCELLANEOUS DISMISSALS

2012-2114. Rivera v. Mandros.

In Procedendo. This cause originated in this court on the filing of a complaint for a writ of procedendo.

Upon consideration of relator's application for dismissal, it is ordered by the court that the application for dismissal is granted. Accordingly, this cause is dismissed.