

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

September 5, 2013

[Cite as *09/05/2013 Case Announcements*, 2013-Ohio-3801.]

MERIT DECISIONS WITH OPINIONS

2011-1912. State v. Ricks, Slip Opinion No. 2013-Ohio-3712.

Erie App. No. E-10-022, 196 Ohio App.3d 798, 2011-Ohio-5043. Judgment reversed and cause remanded.

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

O'Connor, C.J., and Lanzinger and French, JJ., concur in judgment only and concur separately.

2012-1974. State v. Caulley, Slip Opinion No. 2013-Ohio-3673.

Franklin App. No. 12AP-100, 2012-Ohio-2649. Judgment affirmed.

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

O'Donnell and Kennedy, JJ., dissent.

2012-2123. Mohammad v. State, Slip Opinion No. 2013-Ohio-3669.

Cuyahoga App. No. 98655, 2012-Ohio-5517. Motion to summarily reverse granted. Judgment reversed and cause remanded.

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

MOTION AND PROCEDURAL RULINGS

1997-0268. State v. Mitts.

Cuyahoga App. No. 68612. By entry filed October 25, 2011, this court ordered that Harry D. Mitts Jr.'s sentence be carried into execution on Wednesday, September 25, 2013.

In order to facilitate this court's timely consideration of any matters relating to the execution of Harry D. Mitts Jr.'s sentence, it is ordered by the court that the Chief Justice may suspend application of any provisions of the Rules of Practice of the Supreme Court, including, but not limited to, the filing requirements imposed by S.Ct.Prac.R. 3.02.

It is further ordered that service of documents as required by S.Ct.Prac.R. 3.11 shall be personal, by facsimile transmission, or by e-mail.

It is further ordered that counsel of record for the parties shall provide this court with a copy of any document relating to this matter that is filed in, or issued by, any other court in this state or any federal court, as well as any commutation, pardon, or warrant of reprieve issued by the governor. A copy of the document shall be delivered to the office of the clerk as soon as possible, either personally, by facsimile transmission, or by e-mail.

2013-0959. State ex rel. Zeune v. Travis.

In Procedendo. This cause came on for further consideration upon the filing of relator's motion to establish a void sentence. It is ordered by the court that the motion is denied as moot.

DISCIPLINARY CASES

2011-1283. Akron Bar Assn. Certified Grievance Commt. v. Walkley.

By order of the court dated August 17, 2011, respondent, Thomas Lee Walkley, was suspended from the practice of law for an interim period pursuant to Gov.Bar R. V(5a)(B). On September 5, 2013, in Supreme Court case No. 2013-0921, *Akron Bar Assn. v. Walkley*, respondent was suspended from the practice of law pursuant to Gov.Bar R. V(7).

Therefore, it is ordered by the court that Supreme Court case No. 2011-1283 is dismissed and respondent's motion to dissolve filed on August 19, 2013, in this matter is denied as moot.

MISCELLANEOUS DISMISSALS

2013-0616. GC Acquisition Corp. v. Hamilton Cty. Bd. of Revision.

Board of Tax Appeals, No. 2010-Q-134. This cause is pending before the court as an appeal from the Board of Tax Appeals. Upon consideration of the joint motion to remand the appeal to the Board of Tax Appeals, it is ordered by the court that

the motion is granted and this case is remanded to the Board of Tax Appeals so that the board may take further action as appropriate.

It is further ordered that a mandate be sent to the Board of Tax Appeals by certifying a copy of this judgment entry and filing it with the Board of Tax Appeals.

2013-0853. State v. Miller.

Franklin App. No. 11AP-899, 2013-Ohio-1242. This cause is pending before the court as a jurisdictional appeal. The records of this court indicate that appellant has not filed a memorandum in support of jurisdiction, due August 23, 2013, in compliance with the Rules of Practice of the Supreme Court of Ohio 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.

MEDIATION MATTERS

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

2013-1304. State ex rel. Pennant Moldings, Inc. v. Indus. Comm.

Franklin App. No. 11AP-942, 2013-Ohio-3259.

2013-1366. TCG Buckeye Westbelt 2771-2779, L.L.C v. Franklin Cty. Bd. of Revision.

Board of Tax Appeals, No. 2011-Q-710.

2013-1371. Hurlbert v. Bosel.

In Mandamus.

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

The appellants in each case shall file a brief within 40 days of the date of these entries, 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 these cases or take other action if the parties fail to timely file merit briefs.

2013-1006. Kohl's Illinois, Inc. v. Marion Cty. Bd. of Revision.
Board of Tax Appeals, No. 2011-A-2747.

2013-0577. State ex rel. McCormick v. McDonald's.
Franklin App. No. 11AO-902, 2013-Ohio-766.