

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

October 29, 2013

[Cite as *10/29/2013 Case Announcements*, 2013-Ohio-4766.]

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## MERIT DECISIONS WITH OPINIONS

**2012-0027. In re Complaint of OHIOTELNET.COM, INC. v. Windstream Ohio, Inc., Slip Opinion No. 2013-Ohio-4721.**

Public Utilities Commission, No. 09-515-TP-CSS. Orders affirmed.

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

**2012-1509. Abraitis v. Testa, Slip Opinion No. 2013-Ohio-4725.**

Board of Tax Appeals, Nos. 2011-A-3870 and 2011-A-3974. The BTA's ruling that the taxpayer was not required to prepay the tax assessment is reversed, and the remainder of the BTA's decision is vacated. The cause is remanded to the tax commissioner with instructions that the petitions be dismissed for lack of jurisdiction.

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

## MOTION AND PROCEDURAL RULINGS

**2012-1272. ProgressOhio.org, Inc. v. JobsOhio.**

Franklin App. No. 11AP-1136, 2012-Ohio-2655. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County.

Upon consideration of the motion of amicus curiae, Victoria E. Ullmann, to participate in oral argument scheduled for Wednesday, November 6, 2013, it is ordered by the court that the motion is denied.

**2013-0892. Friebel v. Visiting Nurse Assn. of Mid Ohio.**

Richland App. No. 2012-CA-56, 2013-Ohio-1646. This cause is pending before the court as an appeal from the Court of Appeals for Richland County.

Upon consideration of the motion to realign as appellant of appellee, Stephen P. Buehrer, Administrator, Ohio Bureau of Workers' Compensation, it is ordered by the court that the motion is granted. Stephen P. Buehrer, Administrator, Ohio Bureau of Workers' Compensation, is designated an appellant for this appeal.

**2013-1186. Branham v. Mifsud.**

This cause originated in this court on the filing of a complaint.

Upon consideration of relator's motion to add to complaint, it is ordered by the court that the motion is denied as moot.

**2013-1187. Branham v. Etna Twp.**

This cause originated in this court on the filing of a complaint.

Upon consideration of relator's motion to add to complaint and respondent's motion to strike motion to add to complaint, it is ordered by the court that the motions are denied as moot.

**2013-1189. Branham v. Branstool.**

This cause originated in this court on the filing of a complaint.

Upon consideration of relator's motion to add to complaint and respondent's motion to strike motion to add to complaint, it is ordered by the court that the motions are denied as moot.

**2013-1333. State ex rel. Smith v. Sadler.**

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

Upon consideration of relator's motion for order or relief, it is ordered by the court that the motion is denied as moot.

**2013-1472. In re Adoption of Rules for Alternative & Renewable Energy Technology, Resources & Climate Regulations.**

Public Utilities Commission, No. 08-888-EL-ORD. This cause is pending before the court as an appeal from the Public Utilities Commission of Ohio.

Upon consideration of the motion for leave to intervene as appellee by the Environmental Law & Policy Center, it is ordered by the court that the motion is granted.