

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

March 15, 2013

[Cite as *03/15/2013 Case Announcements*, 2013-Ohio-948.]

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## MERIT DECISIONS WITHOUT OPINIONS

**2013-0171. Daily Servs., L.L.C. v. Buehrer.**

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

Upon consideration of respondents' motion to dismiss, it is ordered by the court that the motion to dismiss is granted. Accordingly, this cause is dismissed.

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

O'Donnell and Kennedy, JJ., dissent and would grant an alternative writ.

## MOTION AND PROCEDURAL RULINGS

**2012-0954. Ries v. Ohio State Univ. Med. Ctr.**

Franklin App. No. 11AP-1004, 2012-Ohio-1766. This cause is pending before the court as a jurisdictional appeal.

Upon consideration of appellant's motion to strike appellee's merit brief and supporting documents, it is ordered by the court that the motion is denied.

Pfeifer and Lanzinger, JJ., dissent.

French, J., not participating.

**2012-1589. Panther II Transp., Inc. v. Seville Bd. of Income Tax Rev.**

Medina App. Nos. 11CA0092-M and 11CA0093-M, 2012-Ohio-3525. This cause is pending before the court as an appeal from the Court of Appeals for Medina County. On March 13, 2013, the court granted motions for reconsideration in this case and case No. 2012-1592 and accepted the appeals, which had previously been consolidated.

It is ordered by the court, sua sponte, that the Village of Seville Board of Income Tax Review, Central Collection Agency, and Nassim M. Lynch shall proceed as appellants in the consolidated appeals, and all remaining parties shall proceed as appellees.

**2012-1592. Panther II Transp., Inc. v. Seville Bd. of Income Tax Rev.**

Medina App. Nos. 11CA0092-M and 11CA0093-M, 2012-Ohio-3525. This cause is pending before the court as an appeal from the Court of Appeals for Medina County. On March 13, 2013, the court granted motions for reconsideration in this case and case No. 2012-1589 and accepted the appeals, which had previously been consolidated.

It is ordered by the court, sua sponte, that the Village of Seville Board of Income Tax Review, Central Collection Agency, and Nassim M. Lynch shall proceed as appellants in the consolidated appeals, and all remaining parties shall proceed as appellees.

**2013-0155. Andrews v. Nationwide Mut. Ins. Co.**

Cuyahoga App. No. 97891, 2012-Ohio-4935. This cause is pending before the court as a jurisdictional appeal.

Upon consideration of the motions for permission for Thomas A. Clare and Daniel F. Attridge to appear pro hac vice, it is ordered by the court that the motions are denied because they were not filed by the attorney seeking admission as required by S.Ct.Prac.R. 2.02(B)(1). Attorneys Thomas A. Clare and Daniel F. Attridge may file motions for admission pro hac vice within ten days of the date of this entry.

**2013-0265. State v. Porterfield.**

Trumbull App. No. 2012-T-0039, 2013-Ohio-14. This cause is pending before the court as a jurisdictional appeal.

Upon consideration of appellee's motion to strike, it is ordered by the court that the motion is denied. Appellee may file a memorandum in response to the memorandum in support of jurisdiction within 30 days of the date of this entry.

**2013-0274. State ex rel. Swanson v. Maier.**

In Quo Warranto. This cause originated in this court on the filing of a complaint for a writ of quo warranto.

Upon consideration of respondent's motion to dismiss and motion to stay all discovery pending resolution of his motion to dismiss, it is ordered by the court that the motions are denied.

It is further ordered by the court, sua sponte, that an alternative writ is granted and the following briefing schedule is set for presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 12.05:

The parties shall file any evidence they intend to present within 20 days of the date of this entry; relator shall file a brief within 10 days of the filing of the evidence; respondent shall file a brief within 20 days after the filing of relator's brief; and relator may file a reply brief within seven days after the filing of respondent's brief.

### **APPEALS NOT ACCEPTED FOR REVIEW**

**2012-1630. State v. Toney.**

Mahoning App. No. 12 MA 146. Upon consideration of the jurisdictional memoranda filed in this case, the court declines to accept jurisdiction of the appeal pursuant to S.Ct.Prac.R. 7.08(B)(4).

### **MISCELLANEOUS DISMISSALS**

**2012-1568. Perme v. Union Escrow Co.**

Cuyahoga App. Nos. 97368 and 97381, 2012-Ohio-3448. This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County.

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