

# The Supreme Court of Ohio

---

## CASE ANNOUNCEMENTS

April 14, 2015

[Cite as *04/14/2015 Case Announcements, 2015-Ohio-1425.*]

---

## MOTION AND PROCEDURAL RULINGS

### **1989-2136. State v. Bonnell.**

Cuyahoga App. No. 55927. This cause came on for further consideration upon appellee's motion to set an execution date.

Upon consideration thereof, it is ordered by the court that the motion is granted.

It is further ordered that Melvin Bonnell's sentence be carried into execution by the warden of the Southern Ohio Correctional Facility, or in his absence, by the deputy warden on Wednesday, the 18th day of October, 2017, in accordance with the statutes so provided.

It is further ordered that a certified copy of this entry and a warrant under the seal of this court be duly certified to the warden of the Southern Ohio Correctional Facility and that said warden shall make due return thereof to the Clerk of the Court of Common Pleas of Cuyahoga County.

O'Neill, J., dissents for the reasons stated in his dissenting opinion in *State v. Wogenstahl*, 134 Ohio St.3d 1437, 2013-Ohio-164, 981 N.E.2d 900.

### **2013-0433. In re Application to Modify Exemption Granted to E. Ohio Gas Co.**

Public Utilities Commission, No. 12-1842-GA-EXM. This cause is pending before the court as an appeal from the Public Utilities Commission of Ohio.

Upon consideration of the motion for admission pro hac vice of David C. Rinebolt, it is ordered by the court that the motion is granted. Pursuant to Gov.Bar R. XII(4), counsel shall file a notice of permission to appear pro hac vice with the Supreme Court's Office of Attorney Services within 30 days of the date of this entry.

### **2014-1362. Wheeler v. Testa.**

Board of Tax Appeals, No. 2012-2043. This cause is pending before the court as an appeal from the Board of Tax Appeals.

Upon consideration of appellee/cross-appellant Teddy Wheeler's motions for argument to the Supreme Court and to enlarge time for oral argument, it is ordered by the court that the motion for argument to the Supreme Court is granted, and the motion to enlarge time for oral argument is granted in part. Accordingly, oral argument in this case shall proceed as follows: appellant/cross-appellee, Martin Marietta Energy Systems, Inc., shall argue first and is permitted

ten minutes of oral-argument time and may reserve time for rebuttal; appellee/cross-appellee, Tax Commissioner of Ohio, shall argue second and is permitted ten minutes of oral-argument time; and appellee/cross-appellant, Teddy Wheeler, Pike County Auditor, shall argue third and is permitted twenty minutes of oral-argument time.

**2015-0483. Newegg, Inc. v. Testa.**

Board of Tax Appeals, No. 2012-0234. This cause is pending before the court as an appeal from the Board of Tax Appeals.

Upon consideration of the motions for admission pro hac vice of Martin I. Eisenstein and Matthew P. Schaefer, it is ordered by the court that the motions are granted. Pursuant to Gov.Bar R. XII(4), counsel shall file notices of permission to appear pro hac vice with the Supreme Court's Office of Attorney Services within 30 days of the date of this entry.

**MISCELLANEOUS DISMISSALS**

**2015-0116. Fletcher v. Estate of Fletcher.**

Lake App. No. 2013-L-084, 2014-Ohio-5377. This cause is pending before the court as a jurisdictional appeal.

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.