

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

February 10, 2015

[Cite as *02/10/2015 Case Announcements*, 2015-Ohio-484.]

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## MERIT DECISIONS WITH OPINIONS

**2014-0541. Disciplinary Counsel v. Gorby, Slip Opinion No. 2015-Ohio-476.**

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 2013-043. Jennifer Ann Gorby, Attorney Registration No. 0073833, is suspended from the practice of law in Ohio for one year, stayed on conditions.

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

**2014-0666. State ex rel. Thomas v. Franklin Cty. Court of Common Pleas, Slip Opinion No. 2015-Ohio-474.**

Franklin App. No. 13AP-824. Judgment affirmed.

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

## MOTION AND PROCEDURAL RULINGS

**2014-0490. Inkeeper Ministries, Inc. v. Testa.**

Board of Tax Appeals, No. 2010-2803. This cause is pending before the court as an appeal from the Board of Tax Appeals.

Upon consideration of appellee's motion for continuance of oral argument scheduled before a master commissioner on March 17, 2015, it is ordered by the court that the motion is granted.

**2014-0926. Columbus City Schools Bd. of Edn. v. Franklin Cty. Bd. of Revision.**

Board of Tax Appeals, No. 2011-556. This cause is pending before the court as an appeal from the Board of Tax Appeals.

Upon consideration of the joint motion of the parties to remand the appeal to the Board of Tax Appeals in order to implement a settlement, it is ordered by the court that the cause is remanded to the Board of Tax Appeals to take further action as appropriate.

It is further ordered that a mandate be sent to and filed with the Board of Tax Appeals.

**2014-1295. State v. Baker.**

Ashtabula App. No. 2013-A-0020. This cause is pending before the court as an appeal from the Court of Appeals for Ashtabula County.

Upon consideration of the motion of amicus curiae the Ohio Public Defender to withdraw its January 20, 2015 motion to order the state to serve a copy of its notice of appeal, it is ordered by the court that the motion is granted.

**2014-1852. Cleveland/City of Cleveland United Airlines Lease v. Cuyahoga Cty. Bd. of Revision.**

Board of Tax Appeals, No. 2012-2932. This cause is pending before the court as an appeal from the Board of Tax Appeals.

Upon consideration of the agreed motion of the parties to remand the appeal to the Board of Tax Appeals in order to implement a settlement, it is ordered by the court that the cause is remanded to the Board of Tax Appeals to take further action as appropriate.

It is further ordered that a mandate be sent to and filed with the Board of Tax Appeals.

**2014-1857. Cleveland/City of Cleveland Am. Airlines Lease v. Cuyahoga Cty. Bd. of Revision.**

Board of Tax Appeals, No. 2012-2933. This cause is pending before the court as an appeal from the Board of Tax Appeals.

Upon consideration of the agreed motion of the parties to remand the appeal to the Board of Tax Appeals in order to implement a settlement, it is ordered by the court that the cause is remanded to the Board of Tax Appeals to take further action as appropriate.

It is further ordered that a mandate be sent to and filed with the Board of Tax Appeals.

**2014-1922. State v. Martin.**

Trumbull C.P. No. 2012CR00735. This cause is pending before the court as a death-penalty appeal from the Court of Common Pleas of Trumbull County.

Upon consideration of appellant's motion for extension of time to file the record, it is ordered by the court that the motion is granted. The record shall be filed no later than March 23, 2015.

**DISCIPLINARY CASES**

**2015-0041. In re Resignation of Boecker.**

On application for resignation from the practice of law of Gary James Boecker, Attorney Registration No. 0027888, and on report filed under seal by disciplinary counsel. Resignation accepted with disciplinary action pending.

**MISCELLANEOUS DISMISSALS**

**2014-2085. State ex rel. Lowe v. Ohio Public Emps. Retirement Sys.**

Franklin App. No. 13AP-627. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. The records of this court indicate that appellant has not filed a merit brief, due February 2, 2015, 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.

It is further ordered that a mandate be sent to and filed with the clerk of the Court of Appeals for Franklin County.

**2014-2213. Joseph v. Ohio Dept. of Rehab. & Corr.**

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

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.

**2015-0124. State ex rel. Herrick-Hudson, L.L.C. v. Corrigan.**

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.