

09/16/97

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

TUESDAY
September 16, 1997

MOTION DOCKET

97-1879. Rogers v. Rogers.
Franklin App. Nos. 96APF10-1333 and 97APF01-67. This cause is pending before the court as a discretionary appeal. Upon consideration of appellant's motion for stay of the September 3, 1997 court of appeals' decision,

IT IS ORDERED by the court that the motion for stay be, and hereby is, granted.

Pfeifer and Cook, JJ., dissent.

97-1893. State ex rel. The Warren Newspaper, Inc. v. Court of Jurisdiction of the Mahoning Valley Sanitary Dist.
In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus and was considered in a manner prescribed by law. Upon consideration thereof,

IT IS ORDERED by the court, sua sponte, that an alternative writ of mandamus be, and hereby is, granted.

IT IS FURTHER ORDERED by the court that the following expedited briefing schedule is set for presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. X(7) and (8):

The parties shall file any evidence they intend to present on or before September 19, 1997, and shall file their merit briefs within seven days after the filing of evidence. No responsive briefs shall be permitted.

Moyer, C.J., and Lundberg Stratton, J., concur in the granting of the alternative writ, but would deny expedited treatment.

Douglas, J., not participating.

97-1907. State v. Glasure.
Wayne App. No. 95CA0081. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellant's motion for stay and motion for expedited ruling,

IT IS ORDERED by the court that the motions be, and hereby are, denied.

97-1915. State ex rel. Asberry v. Payne.
In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus and request for expedited treatment. Upon consideration thereof,

IT IS ORDERED by the court, sua sponte, that an alternative writ of mandamus be, and hereby is, granted.

IT IS FURTHER ORDERED by the court that the following briefing schedule is set for presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. X(7) and (8):

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

Moyer, C.J., and Cook, J., concur in the granting of the alternative writ, but would deny expedited treatment.

Pfeifer, J., dissents.

DISCIPLINARY DOCKET

96-2808. Cuyahoga Cty. Bar Assn. v. Boychuk.
On August 22, 1997, respondent filed an affidavit of compliance. Whereas the affidavit of compliance did not contain a proof of service as required by S.Ct.Prac.R. XIV(2),

IT IS ORDERED by the court, sua sponte, that respondent's affidavit of compliance be, and hereby is, stricken.

97-440. Disciplinary Counsel v. Sweeney.
On August 27, 1997, respondent filed an affidavit of compliance. Whereas the affidavit of compliance did not contain a proof of service as required by S.Ct.Prac.R. XIV(2),

IT IS ORDERED by the court, sua sponte, that respondent's affidavit of compliance be, and hereby is, stricken.

MISCELLANEOUS DISMISSALS

96-1705. State ex rel. Clements v. Indus. Comm.
Franklin App. No. 95APD08-1080. This cause is pending before the court as an appeal and cross-appeals from the Court of Appeals for Franklin County. Upon consideration of the joint application for dismissal of the appeal and cross-appeals,

IT IS ORDERED by the court that the application for dismissal be, and hereby is, granted.

ACCORDINGLY, IT IS FURTHER ORDERED by the court that this cause be, and hereby is, dismissed.

97-1631. Reed v. State Farm Mut. Auto. Ins. Co.
Lucas App. No. L-96-038. This cause is pending before the court as a discretionary appeal. Upon consideration of appellants' application for dismissal,

IT IS ORDERED by the court that the application for dismissal be, and hereby is, granted.

ACCORDINGLY, IT IS FURTHER ORDERED by the court that this cause be, and hereby is, dismissed.