

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

September 7, 2004

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### APPEALS ACCEPTED FOR REVIEW

**2004-0537. State v. Glavic.**

Lake App. Nos. 2001-L-177 and 2001-L-179, 2003-Ohio-6961. Discretionary appeal accepted on Proposition of Law No. III only; cause held for the decision in 2003-1048 and 2003-1049, *State v. White*, Guernsey App. No. 02CA23, 2003-Ohio-2289; and briefing schedule stayed.

Resnick, F.E. Sweeney and Pfeifer, JJ., dissent.

**2004-0783. Portage Cty. Bd. of Commrs. v. Akron.**

Portage App. No. 2001-P-0127, 156 Ohio App.3d 657, 2004-Ohio-1665. Discretionary appeal and cross-appeal accepted.

Resnick, F.E. Sweeney and O'Connor, JJ., dissent.

**2004-0819. Brickman & Sons, Inc. v. Natl. City Bank.**

Cuyahoga App. No. 81428, 2004-Ohio-1447. Discretionary appeal accepted; motion to strike denied.

O'Connor, J., concurs but would consolidate with 2004-0957, *Brickman v. Brickman Trust*.

Resnick, F.E. Sweeney and Pfeifer, JJ., dissent.

**2004-0871. State v. Champion.**

Cuyahoga App. No. 83157, 2004-Ohio-2009.

Resnick and Pfeifer, JJ., dissent.

**2004-0892. Fostoria v. Ohio Patrolmen's Benevolent Assn.**

Seneca App. No. 13-03-26, 2004-Ohio-1945.

Moyer, C.J., Lundberg Stratton and O'Connor, JJ., dissent.

## APPEALS NOT ACCEPTED FOR REVIEW

**2004-0823. In re Estate of Bowens-Jackson.**

Montgomery App. No. 20008, 2004-Ohio-1815.

Moyer, C.J., Resnick and O'Connor, JJ., dissent.

**2004-0882. Estate of Monnig v. Progressive Ins. Co.**

Lawrence App. No. 03 C.A. 9, 2004-Ohio-2028.

F.E. Sweeney, Lundberg Stratton and O'Connor, JJ., dissent.

**2004-0908. Akron Square Chiropractic v. Creps.**

Summit App. No. 21710, 2004-Ohio-1988.

Moyer, C.J., Lundberg Stratton and O'Donnell, JJ., dissent.

**2004-0957. Brickman v. Brickman Trust.**

Cuyahoga App. No. 81778, 2004-Ohio-2006.

Lundberg Stratton and O'Donnell, JJ., dissent.

O'Connor, J., dissents and would consolidate with 2004-0819, *Brickman & Sons, Inc. v. Natl. City Bank*.

## RECONSIDERATION OF PRIOR DECISIONS

**2003-0252 and 2003-0283. State v. Thompson.**

Cuyahoga App. No. 78919, 2002-Ohio-6478. Reported at 102 Ohio St.3d 287, 809 N.E.2d 1134, 2004-Ohio-2946. On motion for reconsideration. Motion denied.

Lundberg Stratton and O'Connor, JJ., dissent, would allow, and would remand this cause to the court of appeals.

Moyer, C.J., dissents.

**2004-0523. State v. Horton.**

Stark App. No. 2003CA00097, 2004-Ohio-613. Reported at 102 Ohio St.3d 1484, 810 N.E.2d 967, 2004-Ohio-3069. On motion for reconsideration and motion to hold. Motions granted; discretionary appeal accepted; cause held for the decision in 2003-1048 and 2003-1049, *State v. White*, Guernsey App. No. 02CA23, 2003-Ohio-2289; and briefing schedule stayed.

Resnick, F.E. Sweeney and Pfeifer, JJ., dissent.

## MISCELLANEOUS ORDERS

In re Report of the Commission :  
on Continuing Legal Education. :

E N T R Y

William Michael Shay :  
(#0002823), :  
Respondent. :

This matter originated in this court on the filing of a report by the Commission on Continuing Legal Education (“commission”) pursuant to Gov.Bar R. X(6)(A)(1)(b) and (A)(2)(d). The commission recommended the imposition of sanctions against certain attorneys, including the above-named respondent, for failure to comply with the provisions of Gov.Bar R. X, Attorney Continuing Legal Education, for the 2001-2002 reporting period.

On December 5, 2003, this court adopted the recommendation of the commission, imposed a sanction fee upon the respondent and suspended the respondent from the practice of law pursuant to Gov.Bar R. X(6)(B)(3) and (5)(A)(4). The court further ordered that respondent shall not be reinstated to the practice of law in Ohio until respondent complies with the requirements for reinstatement set forth in Gov.Bar R. X(7); respondent complies with the Supreme Court Rules for the Government of the Bar of Ohio; respondent complies with this and all other orders of the court; and this court orders respondent reinstated.

On August 13, 2004, the commission filed a recommendation pursuant to Gov.Bar R. X(7)(B)(2), finding that the respondent has paid all fees assessed for noncompliance, has made up all deficiencies and is now in full compliance with all requirements of Gov.Bar R. X, and recommending that the respondent be reinstated to the practice of law in Ohio. On August 13, 2004, the commission certified that respondent had completed the credit hours of continuing legal education required during his suspension by this court’s order of suspension. Upon consideration thereof,

IT IS ORDERED by the court that the recommendation of the commission is adopted and respondent, William Michael Shay, is hereby reinstated to the practice of law.

**ADMINISTRATIVE ACTIONS**

1. Gregory P. Barwell was appointed a Commissioner of the Court of Claims.
2. Timothy O. Gusler was appointed to the Commission on Professionalism.
3. David C. Stebbins was appointed to the Public Defender Commission.
4. Monica A. Sansalone was appointed to the Commission on Professionalism.
5. Amendments to Gov.Bar R. VII and Canon 2(B) of the Code of Judicial Conduct were adopted.