

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

March 20, 2008

[Cite as *03/20/2008 Case Announcements, 2008-Ohio-1236.*]

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## MERIT DECISIONS WITH OPINIONS

**2006-2135. State v. Wamsley, Slip Opinion No. 2008-Ohio-1195.**

Columbiana App. No. 05 CO 11, 2006-Ohio-5303. Judgment reversed and cause remanded.

Lundberg Stratton, O'Connor, O'Donnell, Lanzinger, and Cupp, JJ., concur.

Moyer, C.J., concurs in judgment only.

Pfeifer, J., concurs in part and dissents in part.

**2007-0052. State v. Simpkins, Slip Opinion No. 2008-Ohio-1197.**

Cuyahoga App. No. 87692, 2006-Ohio-6028. Judgment affirmed.

Moyer, C.J., and Pfeifer, Lundberg Stratton, O'Connor, O'Donnell, and Cupp, JJ., concur.

Lanzinger, J., dissents.

**2007-1195. Columbus Bar Assn. v. Willette, Slip Opinion No. 2008-Ohio-1198.**

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 06-052. Philip Brian Willette, Attorney Registration No. 0019940, is suspended from the practice of law in Ohio for one year, with six months stayed.

Moyer, C.J., and Pfeifer, Lundberg Stratton, O'Connor, O'Donnell, Lanzinger, and Cupp, JJ., concur.

**2007-1917. Cuyahoga Cty. Bar Assn. v. Wagner, Slip Opinion No. 2008-Ohio-1200.**

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 07-044. Charles E. Wagner, Attorney Registration No. 0046937, is permanently disbarred from the practice of law in Ohio.

Moyer, C.J., and Pfeifer, Lundberg Stratton, O'Connor, O'Donnell, Lanzinger, and Cupp, JJ., concur.

**2007-1919. Toledo Bar Assn. v. Lowden, Slip Opinion No. 2008-Ohio-1199.**

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 07-007. Jeffrey T. Lowden, Attorney Registration No. 0071548, is suspended from the practice of law in Ohio for one year, with the suspension to be served consecutively to respondent's current suspension.

Moyer, C.J., and Pfeifer, Lundberg Stratton, O'Connor, O'Donnell, Lanzinger, and Cupp, JJ., concur.

**2007-1922. Butler Cty. Bar Assn. v. Williamson, Slip Opinion No. 2008-Ohio-1196.**

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 06-089. Karl E. Williamson, Attorney Registration No. 0047204, is indefinitely suspended from the practice of law in Ohio.

Moyer, C.J., and Pfeifer, Lundberg Stratton, O'Connor, Lanzinger, and Cupp, JJ., concur.

O'Donnell, J., dissents.

## **MOTION AND PROCEDURAL RULINGS**

**2007-1819. Louden v. A.W. Chesterton Co.**

Cuyahoga App. No. 90184. This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County. Portions of the record in this case were electronically filed with the Complex Litigation Automated Docket system pursuant to Cuyahoga County Common Pleas "General Personal Injury Asbestos Case Management Standing Order No. 10." Accordingly, these records were not in the physical possession of the Cuyahoga County Clerk of Court and were not transmitted to the Clerk of this court. Therefore, upon consideration of the joint motion to supplement the record,

It is ordered by the court that the motion is granted. The parties shall stipulate to and jointly file the portions of the record deemed relevant and necessary to this appeal within ten days from the date of this entry.

**2007-1821. Louden v. A.W. Chesterton Co.**

Cuyahoga App. No. 90185. This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County. Portions of the record in this case were electronically filed with the Complex Litigation Automated Docket system pursuant to Cuyahoga County Common Pleas "General Personal Injury

Asbestos Case Management Standing Order No. 10." Accordingly, these records were not in the physical possession of the Cuyahoga County Clerk of Court and were not transmitted to the Clerk of this court. Therefore, upon consideration of the joint motion to supplement the record,

It is ordered by the court that the motion is granted. The parties shall stipulate to and jointly file the portions of the record deemed relevant and necessary to this appeal within ten days from the date of this entry.

**2007-2027. State v. Powell.**

Lucas C.P. No. G4801CR02006035. This cause is pending before the court as a death penalty appeal from the Court of Common Pleas for Lucas County. Upon consideration of appellant's motion to supplement,

It is ordered by the court that the motion is granted. The clerk of the trial court shall certify and transmit to the Clerk of this court within 20 days from the date of this entry the following document: the transcript from July 30, 2007.

**DISCIPLINARY CASES**

**2006-2264. Disciplinary Counsel v. Scacchetti.**

On application for reinstatement of David J. Scacchetti, Attorney Registration No. 0014117. Application granted. Respondent is reinstated to the practice of law in Ohio and placed on monitored probation for a period of 18 months.

**MISCELLANEOUS DISMISSALS**

**2008-0238. Springfield v. Dot.Com Invest. Holdings, Ltd.**

Clark App. Nos. 2008CA04, 2008CA05, 2008CA06, and 2008CA07. This cause is pending before the court as a discretionary appeal and claimed appeal of right. It appears from the records of the court that the appellant has not filed a memorandum in support of jurisdiction, due March 14, 2008, in compliance with the Rules of Practice of the Supreme Court 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 sua sponte.