

OPINIONS OF THE SUPREME COURT OF OHIO

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Ford et al., Appellants, v. Talley Machinery Corporation et al., Appellees.

[Cite as Ford v. Talley Mach. Corp. (1994), Ohio St.3d .] Statutes of limitations -- Recent United States Supreme Court decision may not be retroactively applied to bar claims in state courts which had accrued prior to the announcement of that decision -- Section 16, Article I, Ohio Constitution, applied.

(No. 93-295 -- Submitted February 1, 1994 -- Decided March 23, 1994.)

Appeal from the Court of Appeals for Cuyahoga County, No. 60415.

Nurenberg, Plevin, Heller & McCarthy Co., L.P.A., Thomas Mester, Richard L. Demsey and Joel Levin, for appellants.

Mansour, Gavin, Gerlack & Manos Co., L.P.A., Dale E. Markworth, Robert E. Blackham and Eli Manos, for appellee Talley Machinery Corporation.

The judgment of the court of appeals is reversed and the cause is remanded to the trial court on authority of Hyde v. Reynoldsville Casket Co. (1994), 68 Ohio St.3d , N.E.2d .

A.W. Sweeney, Douglas, Resnick, F.E. Sweeney and Pfeifer, JJ., concur.

Moyer, C.J., concurs separately.

Wright, J., dissents for the reasons stated in his dissenting opinion in Hyde v. Reynoldsville Casket Co. (1994), 68 Ohio St.3d 240, 246-250, N.E.2d , .

No. 93-295

Moyer, C.J., concurring

Separately

File No. 8050

Doc. No. 1994Y

Ford v. Talley Mach. Corp.

Moyer, C.J., concurring separately. I concur separately

in the judgment entry in the above-styled case. As stated in Justice Wright's dissent in Hyde v. Reynoldsville Casket Co. (1994), 68 Ohio St.3d 240, 246-250, N.E.2d , , I do not agree with the law announced in the majority decision. Nevertheless, it is the law on the issue in the above-styled case. As I believe all parties should receive equal application of the law announced by this court, and only for that reason, I concur in the judgment entry.