

ATTENTION

DIRECT ANY QUESTIONS ABOUT THE ANNOUNCEMENT TO WALTER S. KOBALKA,
REPORTER OF DECISIONS, AND DEBORAH J. BARRETT AT (614) 466-4961 OR
1-800-826-9010.

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

1:00 P.M.

WEDNESDAY
March 22, 1995

MERIT DOCKET

94-1375. Cincinnati Bar Assn. v. Wolosin.
On Certified Report by the Board of Commissioners on Grievances and
Discipline of the Supreme Court, No. 93-19. Gary E. Wolosin is
suspended from the practice of law for two years, stayed on
conditions.

Moyer, C.J., Douglas, Wright, Resnick, F.E. Sweeney, Pfeifer
and Cook, JJ., concur.

94-2220. State v. Troutman.
Lorain County. Appeal from the Court of Appeals for Lorain County,
Nos. 93CA005686, 93CA005687 and 93CA005688. Judgment affirmed.

Moyer, C.J., Douglas, Wright, Resnick, F.E. Sweeney and
Pfeifer, JJ., concur.

Cook, J., not participating.

94-2222. State v. Kish.
Lorain County. Appeal from the Court of Appeals for Lorain County,
No. 93CA005773. Judgment affirmed.

Moyer, C.J., Douglas, Wright, Resnick, F.E. Sweeney and
Pfeifer, JJ., concur.

Cook, J., not participating.

94-2301. State v. Bass.
Allen County. Appeal from the Court of Appeals for Allen County,
No. 1-90-43. Judgment affirmed.

Moyer, C.J., Douglas, Wright, Resnick, F.E. Sweeney, Pfeifer

and Cook, JJ., concur.

94-2307. Disciplinary Counsel v. Senne.
On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 94-31. Hubert Sherwood Senne, Jr. is indefinitely suspended from the practice of law in the state of Ohio.

Moyer, C.J., Douglas, Wright, Resnick, F.E. Sweeney, Pfeifer and Cook, JJ., concur.

94-2381. In re Application of Ireland-Phillips.
On Report of the Board of Commissioners on Character and Fitness, No. 111. Findings and recommendation of board adopted.

Moyer, C.J., Douglas, Wright, Resnick, F.E. Sweeney, Pfeifer and Cook, JJ., concur.

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

1:00 P.M.

WEDNESDAY
March 22, 1995

MOTION DOCKET

94-767. Am. Seaway Foods, Inc. v. Belden S. Assoc. L.P.
Stark County, No. CA-9260. This cause is pending before the court on the certification of conflict by the Court of Appeals for Stark County. Upon consideration of appellee's motion for continuance of oral argument currently scheduled for April 19, 1995,

IT IS ORDERED by the court that the motion for continuance be, and hereby is, denied, effective March 20, 1995.

95-342. State v. Reimsnyder.
Erie County, No. E-93-71. On motion for bail. Motion denied.
Resnick, J., not participating.

95-448. State v. Norris.
Stark County, No. CA-9436. On motion for stay of execution. Motion denied.

MISCELLANEOUS DISMISSALS

94-2764. State ex rel. Wells v. Trimble.
Franklin County, No. 93APD11-1555. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. Appellant's merit brief was due March 13, 1995. It appears from the records of this court that appellant has not filed a merit brief 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 be, and hereby is, dismissed sua sponte, effective March 17, 1995.

95-40. State ex rel. Best v. Indus. Comm.
Franklin County, No. 93APD10-1446. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. Appellant's merit brief was due March 13, 1995. It appears from the records of this court that appellant has not filed a merit brief 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 be, and hereby is, dismissed sua sponte, effective March 17, 1995.

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

WEDNESDAY
March 22, 1995

MOTION DOCKET

94-405. Haynes v. Zoological Soc. of Cincinnati.
Hamilton County, Nos. C-910598 and C-950635. This cause is pending before the court on the certification of conflict by the Court of Appeals for Hamilton County. Upon consideration of appellant's motion to strike appellee's document titled "Supplemental

Authorities,"

IT IS ORDERED by the court that the motion to strike be, and hereby is, granted, effective March 21, 1995.

Douglas and Pfeifer, JJ., dissent.

Resnick, J., not participating.

94-2399. Middleton v. Cuyahoga Cty. Bd. of Revision.

Board of Tax Appeals, No. 94-P-158. On March 6, 1995, appellant filed a reply brief pursuant to S.Ct.Prac.R. VI(3). On March 20, 1995, appellant filed a motion to strike the merit brief of amicus curiae in support of the position of appellees. It appears to the court that appellant's motion to strike is, in substance, a reply brief and, as such, does not comply with S.Ct.Prac.R. VI(3).

Accordingly,

IT IS ORDERED by the court, sua sponte, effective March 21, 1995, that appellant's motion to strike be, and hereby is, stricken.

95-28. Cleveland City School Dist. Bd. of Edn. v. URS Co.

Cuyahoga County, No. 64496. On March 13, 1995, appellee/cross-appellant filed a motion for reconsideration of this court's dismissal of the cross-appeal of the Dow Chemical Company. Included as exhibits to the motion were a combined memorandum in response and in support of the cross-appeal and a motion seeking reconsideration of this court's entry striking the combined memorandum. Whereas, the filing of the documents tendered as Exhibits A and B is prohibited by the Rules of Practice of the Supreme Court of Ohio,

IT IS ORDERED by the court that the exhibits be, and hereby are, stricken, effective March 21, 1995.

IT IS FURTHER ORDERED by the court that the motion for reconsideration be, and hereby is, denied.

95-580. State v. Hecker.

Pickaway County, No. 93-CA-10. Appellant has filed an untimely notice of appeal of the court of appeals' decision denying his application for reopening under App.R. 26(B) and a motion for delayed appeal. This appeal involves a civil, post-conviction matter and not an appeal of a felony case to which the provisions for delayed appeal in S.Ct.Prac.R. II(2)(A)(4) apply. Therefore,

IT IS ORDERED by the court, sua sponte, effective March 21, 1995, that the motion for delayed appeal be, and hereby is, stricken.

IT IS FURTHER ORDERED by the court, sua sponte, that, in that appellant failed to perfect an appeal pursuant to S.Ct.Prac.R. II(2)(A)(1), this case be, and hereby is, dismissed for lack of jurisdiction.

DISCIPLINARY DOCKET

94-2645. Disciplinary Counsel v. Mbakpuo.

On March 20, 1995, respondent filed a reply memorandum relating to respondent's earlier filed motion to vacate. There being no provision in the Supreme Court Rules of Practice permitting the filing of reply memoranda in support of motions,

IT IS ORDERED by the court, sua sponte, effective March 21, 1995, that respondent's reply memorandum be, and is hereby, stricken.

RECONSIDERATION DOCKET

95-407. State v. Rives.

Cuyahoga County, No. 54953. Reported at 71 Ohio St.3d 1484,
N.E.2d .

IT IS ORDERED by the court that the motion for reconsideration
in this case be, and the same is hereby, denied.