

**SUPREME COURT OF OHIO**

**COLUMBUS**

**ANNOUNCEMENT**

9:00 A.M.

WEDNESDAY  
January 24, 2001

**MERIT DOCKET**

**00-1871. State ex rel. Cottrell v. Indus. Comm.**

In Mandamus. On answer of respondents Industrial Commission of Ohio and Administrator, Bureau of Workers' Compensation, motion for judgment on pleadings of Industrial Commission of Ohio and Administrator, Bureau of Workers' Compensation, motion to dismiss of LTV Steel Company, Inc., and/or motion for summary judgment of LTV Steel Company, Inc., motion to strike affidavit in support of complaint of LTV Steel Company, Inc., and answer of respondent LTV Steel Company, Inc. Motion to dismiss sustained. Cause dismissed. All other motions are denied as moot.

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

**DISMISSALS, SUA SPONTE, NO SUBSTANTIAL  
CONSTITUTIONAL QUESTION AND DISCRETIONARY  
APPEALS, IF APPLICABLE, NOT ALLOWED**

**00-1525. State v. Hoffman.**

Huron App. No. H-99-035.

Resnick, J., not participating.

**00-1762. Sharp v. Brennan.**

Erie App. No. E-00-008.

**00-1794. Independence v. Power.**

Cuyahoga App. No. 76534.

**00-1798. State v. Briscoe.**

Cuyahoga App. No. 76125.

**00-1803. State v. Jenkins.**

Vinton App. No. 99CA536.

Moyer, C.J., and Douglas, J., dissent.

**00-1807. State v. Mollick.**

Lorain App. No. 99CA007381.

**00-1808. Rust v. Harris-Gordon.**

Lucas App. No. L-99-1287.

Resnick, J., not participating.

**00-1815. Bryant v. Allstate Ins. Co.**

Lorain App. No. 00CA007606.

**00-1819. State v. Ashley.**

Hamilton App. Nos. C-000094, C-000095 and C-000096.

**00-1820. State v. Hawkins.**

Hamilton App. No. C-990897.

**00-1821. State v. Booker.**

Hamilton App. No. C-000177.

**00-1823. State v. Zwiebel.**

Franklin App. No. 00AP-61.

**00-1825. Nelson v. Marymount Hosp.**

Cuyahoga App. No. 76369.

**00-1827. Meek v. Nova Steel Processing.**

Miami App. No. 2000CA1.

**00-1834. Buoscio v. Mahoning Cty. Dept. of Human Serv.**

Mahoning App. No. 00CA121.

**00-1835. State v. Miller.**

Ross App. Nos. 00CA2539 and 99CA2506.

**00-1836. State v. Martin.**

Cuyahoga App. No. 77015.

**00-1840. State v. Overton.**

Lucas App. No. L-99-1317.

Cook, J., dissents.

**00-1846. State v. Damberger.**

Medina App. No. 3024-M. On discretionary appeal and on motion to withdraw as counsel by Mary R. Kovak. Appeal and motion denied.

Resnick, J., would grant the motion to withdraw.

**00-1845. In re Lisa Marie C.**

Lucas App. No. L-00-1126.

**00-1848. Smith v. Bistro Mgt., Inc.**

Hamilton App. No. C-000079.

**00-1851. Bohanan v. Old Republic Title Agency of Columbus, Inc.**

Franklin App. No. 00AP-644. On discretionary appeal and on motion to strike memorandum in support of jurisdiction. Appeal and motion denied.

**00-1852. Blair v. Hunter.**

Lucas App. No. L-00-1015.

Resnick, J., not participating.

**00-1857. State v. Wellbaum.**

Champaign App. No. 2000CA5.

**00-1858. State v. Owens.**

Wood App. No. WD-00-004.

**00-1870. STA Realty Inc., Trustee v. Specialty Restaurants Corp.**

Cuyahoga App. No. 76729.

F.E. Sweeney, J., dissents.

**00-1879. State v. Waldron.**

Ashtabula App. No. 99-A-0031.

Pfeifer and Lundberg Stratton, JJ., dissent.

**00-1881. State v. Moore.**

Franklin App. No. 00AP-64.

**00-1882. State v. Boyd.**

Putnam App. No. 12200001.

**00-1883. Broadview Hts. v. Baron.**

Cuyahoga App. No. 76490.

**00-1884. State v. Agner.**

Allen App. No. 1200037.

**00-1886. State v. Walker.**

Hamilton App. No. C-990503.

**00-1890. State Emp. Relations Bd. v. Fairland Local School Dist. Bd. of Edn.**

Lawrence App. No. 00CA10.

Resnick, J., dissents.

**00-1892. State v. Lee.**

Cuyahoga App. No. 77010.

**00-1893. Richmond Hts. v. Abriani.**

Cuyahoga App. No. 76204.

Resnick, J., not participating.

**00-1894. State v. Lorraine.**

Trumbull App. No. 99-T-0060.

**00-1898. State v. Poole.**  
Allen App. No. 1200016.

**00-1905. State v. Cuthbertson.**  
Mahoning App. No. 98CA133.

**00-1909. State v. Petty.**  
Summit App. No. 19611.

**00-1923. Branham v. Robinson.**  
Franklin App. No. 00AP-343.

**00-1929. State v. Bobinchuck.**  
Summit App. No. 19536.

**00-1933. State v. Phelps.**  
Franklin App. No. 00AP-109.

**00-1934. State v. Lee.**  
Auglaize App. No. 2200010.

**00-1935. Stephen W. Daulton Appointment Trust v. Licking Cty. Bd. of  
Commrs.**  
Licking App. No. 00CA38.

**00-1937. Second Natl. Bank of Warren v. Renner.**  
Summit App. No. 20200.  
Lundberg Stratton, J., dissents.

**00-1943. Baker v. Ohio Dept. of Human Serv.**  
Lucas App. No. L-00-1253.

**00-1949. State v. Purnell.**  
Lucas App. No. L-92-392.  
Resnick, J., not participating.

**00-1952. State v. Teets.**  
Medina App. No. 3022-M.

**00-1960. State v. Millville Video, Inc.**

Butler App. No. CA99-10-179.

Moyer, C.J., dissents.

**00-1964. State v. Martin.**

Portage App. No. 99-P-0077.

Moyer, C.J., dissents.

**00-1967. State v. Weeks.**

Logan App. No. 8200007.

**00-1971. State v. Heffner.**

Lucas App. No. L-99-1006.

Cook, J., would allow on Proposition of Law No. I.

**00-1974. State v. Knight.**

Hamilton App. No. C-990425.

**00-1982. State v. Cunigan.**

Montgomery App. No. 17924.

**00-1987. Hayes v. State Med. Bd. of Ohio.**

Franklin App. No. 99AP-1239.

**00-2012. State v. Moore.**

Hamilton App. No. C-990739.

**00-2017. State v. Whiteside.**

Franklin App. No. 00AP-223.

**00-2029. Snow v. Brown.**

Franklin App. No. 99AP-1234.

**00-2050. State v. Holloway.**

Franklin App. No. 99AP-1456.

**00-2068. State v. Felton.**

Hamilton App. No. C-990865.

**00-2100. In re Campbell.**

Cuyahoga App. No. 77552.

Cook, J., would allow on Proposition of Law No. I.

Resnick, J., dissents.

**00-2108. State v. Sherrills.**

Cuyahoga App. No. 78279.

**00-2109. State v. Sherrills.**

Cuyahoga App. No. 62068.

**00-2110. State v. Sherrills.**

Cuyahoga App. No. 35912.

**00-2112. State v. Sherrills.**

Cuyahoga App. No. 41302.

**00-2194. State v. Sherrills.**

Cuyahoga App. No. 53535.

**00-2197. State v. Sherrills.**

Cuyahoga App. No. 62067.

**DISCRETIONARY APPEALS NOT ALLOWED**

**00-1806. Nordyke v. Martin Bird Ent., Inc.**

Wyandot App. No. 1620005.

Pfeifer, J., dissents.

**00-1809. State v. Keith.**

Cuyahoga App. Nos. 76469, 76479 and 76610.

**00-1826. Allen v. Foxfire Golf Club, Inc.**

Pickaway App. No. 99CA18.

**00-1839. Cardone v. Cardone.**

Summit App. No. 19867.

**00-1841. Berry v. Berry.**

Hamilton App. No. C-990661.

**00-1850. Sinsky v. Gatien.**

Summit App. No. 19795.

Resnick, J., dissents.

**00-1878. State v. Jones.**

Lorain App. No. 00CA007670.

**00-1880. Woods v. Cushion.**

Summit App. No. 19896.

F.E. Sweeney, J., dissents.

**00-1885. Porath v. Porath.**

Cuyahoga App. No. 77001.

Douglas and Resnick, JJ., dissent.

**00-1887. Mut. Ins. Co. of Eagle Twp. v. Hunt.**

Hancock App. No. 5200007.

Pfeifer, J., dissents.

**00-1897. Tic Toc Around The Clock Child Care Ctr. v. Ohio Dept. of Human Serv.**

Muskingum App. No. CT990022.

**00-1902. Gullatte v. Rion.**

Montgomery App. No. 17871.

**00-1903. McKnight v. Goodwill Industries of Akron, Inc.**

Lorain App. No. 99CA007504.

**00-1912. Third Fed. S. & L. Assn. v. McCann.**

Summit App. Nos. 19882 and 19904.

**00-1918. Campbell v. Cleveland Clinic Found.**

Cuyahoga App. No. 77213.

**00-1931. Eller v. Wendy's Internatl., Inc.**

Franklin App. No. 99AP-1273.

**00-1932. Crawford v. Bill Swad Chevrolet, Inc.**

Franklin App. No. 00AP-188.

Moyer, C.J., and Lundberg Stratton, J., dissent.

**00-1936. State v. Heuser.**

Franklin App. No. 00AP-68.

Moyer, C.J., dissents and would reverse the judgment of the court of appeals on the authority of *State v. Arnett* (2000), 88 Ohio St.3d 208, \_\_\_ N.E.2d \_\_\_.

Lundberg Stratton, J., dissents.

**00-1938. State v. Campbell.**

Franklin App. No. 99AP-1274.

**00-1939. State v. Logan.**

Summit App. No. 19726.

**00-1944. Shimola v. Westlake.**

Cuyahoga App. Nos. 75164, 75165 and 75204.

**00-1956. Clarke v. Warren Cty. Bd. of Commrs.**

Warren App. No. CA200001009.

Lundberg Stratton, J., dissents.

**00-1965. State v. Mosby.**

Butler App. No. CA200004059.

**00-1977. Ducksworth v. Alamo Rent-A-Car.**

Cuyahoga App. No. 76892.

Douglas, J., dissents.

**00-2009. Crestmont Cleveland Partnership v. Ohio Dept. of Health.**

Franklin App. No. 00AP-180.

Moyer, C.J., and Pfeifer, J., dissent.

**00-2078. Britton v. Smythe, Cramer Co.**

Cuyahoga App. Nos. 76435 and 76455.

Douglas and Lundberg Stratton, JJ., dissent.

**MISCELLANEOUS DOCKET**

**In re Daries Sherrills.**

On November 12, 1996, we ordered that the Clerk of this court shall not accept for filing any additional, original actions from Daries Sherrills, unless accompanied by the docket fee and security deposit required by S.Ct.Prac.R. XV. *Sherrills v. Fuerst* (1996), 77 Ohio St.3d 1437, 671 N.E.2d 1021.

Based on Sherrills's continued, prolonged pattern of filing repetitious, frivolous appeals in this court and abusing his *in forma pauperis* status in this court,

IT IS HEREBY ORDERED by the court that the Clerk of this court shall also not accept for filing any further appeals in this court without Sherrills's prepaying the fee required by S.Ct.Prac.R. XV, except for direct or delayed appeals from criminal convictions and sentences. Cf., generally, *Martin v. Dist. of Columbia Court of Appeals* (1992), 506 U.S. 1, 113 S.Ct. 397, 121 L.Ed.2d 305; *Demos v. Storrie* (1993), 507 U.S. 290, 113 S.Ct. 1231, 122 L.Ed.2d 636; *In re Guess* (1996), 75 Ohio St.3d 1515, 665 N.E.2d 684. Courts of appeals and trial courts may take similar action to prevent further frivolous filings by Sherrills.