

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

May 14, 2003

MERIT DECISIONS WITH OPINIONS

1999-2248. State v. Lynch, 2003-Ohio-2284.

Hamilton C.P. No. B-9804522. Judgment affirmed.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Wolff, Lundberg Stratton and O'Connor, JJ., concur.

William H. Wolff Jr., J., of the Second Appellate District, sitting for Cook, J.

2001-2033. Myocare Nursing Home, Inc. v. Fifth Third Bank, 2003-Ohio-2287.

Cuyahoga App. No. 79045. Judgment reversed and cause remanded.

Moyer, C.J., F.E. Sweeney, Pfeifer, Brogan, Lundberg Stratton and O'Connor, JJ., concur.

Gwin, J., dissents.

W. Scott Gwin, J., of the Fifth Appellate District, sitting for Resnick, J.

James A. Brogan, J., of the Second Appellate District, sitting for Cook, J.

MOTION AND PROCEDURAL RULINGS

1999-2248. State v. Lynch.

Hamilton C.P. No. B-9804522. On motion to vacate death sentence pursuant to *Atkins v. Virginia* (2002), 536 U.S. 304, 122 S.Ct. 2242, 153 L.Ed.2d 335. Motion denied.

Lundberg Stratton, J., concurs and notes that the 180-day rule must still be complied with in the lower court.