

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

August 7, 2003

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### MOTION AND PROCEDURAL RULINGS

**2002-0585. Klein v. Leis.**

Hamilton App. Nos. C-020012, C-020013, C-020015, and C-020021, 146 Ohio App.3d 526, 2002-Ohio-1634. This cause is pending before the court as an appeal from the Court of Appeals for Hamilton County. Upon consideration of the motion of the city of Cincinnati for leave to file additional authority,

IT IS ORDERED by the court that the motion for leave to file additional authority be, and it hereby is, granted, and the city of Cincinnati may file the citation of the additional authority within seven days of the date of this entry.

**2002-2138. Saunders v. Mortensen.**

Erie App. No. E-02-008, 2002-Ohio-6244. This cause is pending before the court as an appeal from the Court of Appeals for Erie County. Upon consideration of appellees' motion to participate in oral argument scheduled for October 21, 2003,

IT IS ORDERED by the court that the motion to participate in oral argument be, and it hereby is, denied.

**2003-0350. State v. Reine.**

Montgomery App. No. 19157, 2003-Ohio-50. This cause is pending before the court as an appeal from the Court of Appeals for Montgomery County. On July 22, 2003, counsel for appellee filed a motion requesting this court to order the Clerk to provide counsel with copies of the portions of the record that are currently under seal. Whereas counsel's motion is, in effect, a motion to unseal the record,

IT IS ORDERED by the court, sua sponte, that portions of the record currently under seal be, and they hereby are, unsealed.

**2003-0351. State v. Barksdale.**

Montgomery App. No. 19294, 2003-Ohio-43. This cause is pending before the court as an appeal from the Court of Appeals for Montgomery County. On July 22, 2003, counsel for appellee filed a motion requesting this court to order the Clerk to provide counsel with copies of the portions of the record that are currently under seal. Whereas counsel's motion is, in effect, a motion to unseal the record,

IT IS ORDERED by the court, sua sponte, that portions of the record currently under seal be, and they hereby are, unsealed.

**2003-0829. State ex rel. Shandrow v. Roper Corp.**

Franklin App. No. 02AP-342, 2003-Ohio-1516. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. Upon consideration of appellant's motion for extension of time to file merit brief pursuant to S.Ct.Prac.R. XIV(6)(C),

IT IS ORDERED by the court that the motion for extension of time be, and it hereby is, granted, and appellant's merit brief is due on or before August 29, 2003.

**2003-0985. State ex rel. Saunders v. O-Kan Marine Repair, Inc.**

Franklin App. No. 02AP-697, 2003-Ohio-2020. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. Upon consideration of appellant's motion for extension of time to file merit brief pursuant to S.Ct.Prac.R. XIV(6)(C),

IT IS ORDERED by the court that the motion for extension of time be, and it hereby is, granted, and appellant's merit brief is due on or before August 29, 2003.

**2003-1350. State ex rel. Geauga Cty. Bd. of Commrs. v. Milligan.**

In Mandamus and Prohibition. This cause originated in this court on the filing of a complaint for writs of mandamus and prohibition. Upon consideration thereof,

IT IS ORDERED by the court, sua sponte, that alternative writs be, and they hereby are, granted, and the following briefing schedule is set for presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. X:

The parties shall file any evidence they intend to present within 20 days of the date of this entry; relators shall file their brief within 10 days after the filing of evidence; respondent shall file his brief within 20 days after the filing of relators' brief; and relators may file a reply brief within 5 days after the filing of respondent's brief.

Pfeifer, J., dissents and would dismiss the complaint.

## RECONSIDERATION OF PRIOR DECISIONS

### **2003-0719. State v. Lentz.**

Lucas App. No. L-01-1461, 2003-Ohio-1038. IT IS ORDERED by the court that the motion for reconsideration in this case be, and it hereby is, denied.

### **2003-1154. State v. Grigsby.**

Greene App. No. 02CA16, 2003-Ohio-2823. IT IS ORDERED by the court that the motion for reconsideration in this case be, and it hereby is, denied.

## DISCIPLINARY CASES

### **2003-0699. Disciplinary Counsel v. Lantz.**

On April 18, 2003, the Board of Commissioners on Grievances and Discipline certified its final report to this court in this case recommending that respondent, Charles Lantz, Attorney Registration No. 0016201, last known business address in Lancaster, Ohio, be permanently disbarred. It appearing from the record filed in this case that respondent may be suffering from a mental illness,

IT IS HEREBY ORDERED by the court, sua sponte, that this cause be, and it hereby is, remanded to the Board of Commissioners on Grievances and Discipline for investigation of the mental illness issue. It is further ordered that the Board of Commissioners on Grievances and Discipline file a report on the results of the investigation within 90 days of the date of this order.

IT IS FURTHER ORDERED, sua sponte, that all documents filed with this court in this case shall meet the filing requirements set forth in the Rules of Practice of the Supreme Court of Ohio, including requirements as to form, number, and timeliness of filings.

## MISCELLANEOUS DISMISSALS

### **2003-1164. In re Port.**

This cause is pending before the court upon movant's order to show cause why Lisa J. Niles should not be found in contempt for failure to comply with subpoena duces tecum issued by the Board of Commissioners on Grievances and Discipline. Upon consideration of movant's application for dismissal,

IT IS ORDERED by the court that the application for dismissal be, and it hereby is, granted.

ACCORDINGLY, IT IS FURTHER ORDERED by the court that this cause be, and it hereby is, dismissed.

**2003-1165. Ross v. Clark.**

Franklin App. No. 02AP-222, 2003-Ohio-4056. This cause is pending before the court as a discretionary appeal. Upon consideration of appellant's application for dismissal,

IT IS ORDERED by the court that the application for dismissal be, and it hereby is, granted.

ACCORDINGLY, IT IS FURTHER ORDERED by the court that this cause be, and it hereby is, dismissed.

**2003-1192. State v. Caynor.**

Monroe App. No. 867, 2003-Ohio-3282. This cause is pending before the court as a discretionary appeal and a claimed appeal as of right. It appears from the records of this court that appellant has not filed a memorandum in support of jurisdiction, due August 5, 2003, in compliance with the Rules of Practice of the Supreme Court of Ohio and therefore has failed to prosecute this case with the requisite diligence. Upon consideration thereof,

IT IS ORDERED by the court that this cause be, and it hereby is, dismissed, sua sponte.

### **MEDIATION REFERRALS**

The following cases have been referred to mediation pursuant to S.Ct.Prac.R. XIV(6):

**2003-1229. EOP-BT Towers, L.L.C. v. Cuyahoga Cty. Bd. of Revision.**

Board of Tax Appeals, Nos. 2003-M-281, 2003-M-282, 2003-M-283 and 2003-M-288.

**2003-1245. Forest Park City v. Hamilton Cty. Bd. of Revision.**

Board of Tax Appeals, No. 2003-V-76.

The following cases have been returned to the regular docket pursuant to S.Ct.Prac.R. XIV(6)(E):

**2003-0985. State ex rel. Saunders v. O-Kan Marine Repair, Inc.**

Franklin App. No. 02AP-697, 2003-Ohio-2020.