

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

March 17, 2006

[Cite as *03/17/2006 Case Announcements, 2006-Ohio-1214.*]

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## MERIT DECISIONS WITH OPINIONS

### **2005-0068. State ex rel. Cincinnati Enquirer v. Daniels, 2006-Ohio-1215.**

Hamilton App. No. C-040064, 2004-Ohio-7130. Judgment reversed and writ granted.

Moyer, C.J., Grady, Lundberg Stratton, O'Donnell and Lanzinger, JJ., concur.

Pfeifer and O'Connor, JJ., concur in judgment only.

Thomas J. Grady, J., of the Second Appellate District, sitting for Resnick, J.

## DISCIPLINARY CASES

### **2001-1816. Columbus Bar Assn. v. Farkas.**

On February 3, 2006, respondent, Jeffrey W. Farkas, filed an application for termination of probation. Upon consideration thereof, the court finds that respondent has substantially complied with Gov.Bar R. V(9)(D) and with its order dated December 26, 2003, in which the court stayed respondent's suspension and placed him on monitored probation for one year.

THEREFORE, IT IS ORDERED by this court that the probation of respondent, Jeffrey W. Farkas, Attorney Registration No. 0061547, last known address in Blacklick, Ohio, be, and hereby is, terminated.

IT IS FURTHER ORDERED that the Clerk of this court issue certified copies of this order as provided for in Gov.Bar R. V(8)(D)(1), that publication be made as provided for in Gov.Bar R. V(8)(D)(2), and that respondent bear the costs of publication.

### **2004-1418. Cleveland Bar Assn. v. Herron.**

On August 25, 2004, the Board of Commissioners on Grievances and Discipline filed a final report in the office of the Clerk of this court pursuant to BCGD Proc.Reg. 11(D), in which it accepted the agreement entered into by the relator, Cleveland Bar Association, and the respondent, Mark P. Herron. The agreement set forth the misconduct and the agreed, recommended sanction of a six month suspension, stayed on conditions.

On September 24, 2004, this court, sua sponte, rejected the recommended sanction and remanded the cause to the board for further proceedings pursuant to Gov.Bar R. V(8)(D). Proceedings before the court were stayed until further order of the court. On March 6, 2006, the board filed findings of fact, conclusions of law, and order in which it found that there was no clear and convincing evidence that respondent acted unethically, and it ordered the case dismissed. Therefore,

It is ordered by the court that case No. 2004-1418, *Cleveland Bar Association v. Herron*, is dismissed.

**2006-0110. Disciplinary Counsel v. McDaniel.**

On Certified Order of the Supreme Court of Arizona, No. SB-05-0134D. Thomas C. McDaniel, Attorney Registration No. 0056259, is suspended from the practice of law in Ohio for six months.

**MISCELLANEOUS DISMISSALS**

**2005-2308. State ex rel. Gidley v. Indus. Comm.**

Franklin App. No. 04AP-1316, 2005-Ohio-5534. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. Upon consideration of appellant's application for dismissal,

IT IS ORDERED by the court that the application for dismissal is granted. Accordingly, this cause is dismissed.

**2006-0401. State v. Bankey.**

Wood App. No. WD-05-014, 2005-Ohio-5878. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellant's application for dismissal,

IT IS ORDERED by the court that the application for dismissal is granted. Accordingly, this cause is dismissed.

**MISCELLANEOUS ORDERS**

In re Report of the Commission on,  
Continuing Legal Education.

Case No. CLE-2005-16235

Jefferson N. Schaffner  
#0016235,  
Respondent.

O R D E R

On November 16, 2005, the Commission on Continuing Legal Education ("commission") filed its report recommending the imposition of sanctions against certain attorneys for failure to comply with the continuing legal education provisions of Gov.Bar R. X for the 2003/2004 reporting period. On December 13, 2005, this court issued to each respondent an order to show cause, on or before January 12, 2006, why the commission's recommendation should not be adopted. On January 19, 2006, the court issued a sua sponte order permitting the commission to consolidate its responses to the respondents' objections into a single answer to be filed no later than March 13, 2006. On March 13, 2006, the commission filed its answer and brief, which included a recommendation of dismissal of the recommended sanction against respondent.

On March 13, 2006, respondent filed a motion requesting the court to issue order stating respondent has shown good cause. There are no provisions under Gov.Bar R. X for the filing of such a motion. Accordingly,

It is ordered by the court, sua sponte, that the motion is stricken.

**MEDIATION REFERRALS**

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

**2006-0168. State ex rel. Carr v. Akron.**  
In Mandamus.

**2006-0492. Dayton-Montgomery Cty. Port Auth. v. Montgomery Cty. Bd. of Revision.**  
Board of Tax Appeals, No. 2004-A-1227.

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

**2005-1789. State ex rel. John Q. Public v. Etna Twp. Bd. of Trustees.**  
In Mandamus.