

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

September 24, 2009

[Cite as *09/24/2009 Case Announcements*, 2009-Ohio-4976.]

MERIT DECISIONS WITH OPINIONS

2008-1452. State v. Cargile, Slip Opinion No. 2009-Ohio-4939.

Cuyahoga App. No. 89964, 2008-Ohio-2783. Judgment reversed and cause remanded.

Moyer, C.J., and Pfeifer, Lundberg Stratton, O'Connor, O'Donnell, Lanzinger, and Cupp, JJ., concur.

2009-0313. State ex rel. Miller v. Brady, Slip Opinion No. 2009-Ohio-4942.

Logan App. No. 8-08-10. Judgment affirmed in part and reversed in part, and cause remanded.

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

Pfeifer, J., concurs in judgment only.

2009-0469. Disciplinary Counsel v. Kimmins, Slip Opinion No. 2009-Ohio-4943.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 07-042. Thomas W. Kimmins, Attorney Registration No. 0024739, is suspended from the practice of law in Ohio for one year, stayed on conditions.

Pfeifer, Lundberg Stratton, O'Donnell, and Cupp, JJ., concur.

Moyer, C.J., and O'Connor and Lanzinger, JJ., dissent.

MOTIONS AND PROCEDURAL RULINGS

2009-1256. State ex rel. Hughley v. Berens.

Fairfield App. No. 2009-CA-24, 2009-Ohio-3277. This cause is pending before the court as an appeal from the Court of Appeals for Fairfield County. Upon consideration of appellant's motion to compel the clerk to transmit the record,

It is ordered by the court that the motion is denied as moot.

2009-1590. State ex rel. Ohio Policy Roundtable v. Strickland.

This cause originated in this court on the filing of a complaint for declaratory judgment under R.C. 3770.21(D). Upon consideration thereof,

It is ordered by the court, sua sponte, that the parties shall brief the issue of whether the court has jurisdiction to proceed with this case in view of the decision in *State ex rel. LetOhioVote.org v. Brunner*, __ Ohio St.3d __, 2009-Ohio-4900, __ N.E.2d __. Relators' brief shall be filed within ten days of the date of this order; respondents' brief shall be filed within five days of relators' brief; and relators may file a reply brief within three days of the filing of respondents' brief. The Clerk's office shall refuse to file any requests for extension of time in this case.

MISCELLANEOUS DISMISSALS

2009-1384. Gay v. O.F. Mossberg & Sons, Inc.

Portage App. No. 2008-P-0006, 2009-Ohio-2954. 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.

2009-1558. B.W. v. D.B.-B.

Lucas App. No. L-09-1203. This cause is pending before the court as an appeal involving termination of parental rights/adoption. Upon consideration of appellants' application for dismissal,

It is ordered by the court that the application for dismissal is granted. Accordingly, this cause is dismissed.

MEDIATION REFERRALS

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

2009-1417. State ex rel. GMS Mgt. Co., Inc. v. Vivo.
In Prohibition.

2009-1515. State ex rel. Schaeffer v. Indus. Comm.
Franklin App. No. 08AP-913, 2009-Ohio-3354.