

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

August 16, 2002

MOTION AND PROCEDURAL RULINGS

2001-0871. State v. Ahmed.

Belmont C.P. No. 99CR192. This cause is pending before the court as a death penalty appeal from the Court of Common Pleas of Belmont County. Upon consideration of appellant's pro se motion to order release of funds and prohibit state from denying appellant right to retain counsel,

IT IS ORDERED by the court, sua sponte, that the motion be, and hereby is, stricken.

2002-0961. Cincinnati Gas & Elec. Co. v. Clermont Cty. Bd. of Revision.

Board of Tax Appeals, Nos. 98-K-707 and 98-K-708. This cause is pending before the court as an appeal from the Board of Tax Appeals. Upon consideration of the parties' joint request for extension of time to file merit briefs and to establish briefing schedule,

IT IS ORDERED by the court that the joint request be, and hereby is, granted. The court hereby adopts the following briefing schedule: appellant's merit brief shall be due October 4, 2002; appellees' merit briefs shall be due November 25, 2002; and appellant may file a reply brief by January 6, 2003.

2002-1280. Pavlik v. Barium & Chem., Inc.

Jefferson App. No. 02JE12. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellants' motion for stay pending appeal,

IT IS ORDERED by the court that the motion for stay be, and hereby is, denied.

2002-1424. Denton v. Bedinghaus.

Hamilton App. No. C-000819, 2002-Ohio-3273. This cause was filed as a discretionary appeal. Upon review of appellants' jurisdictional memorandum, it is determined by the court that this cause originated in the court of appeals and therefore should proceed as an appeal of right pursuant to S.Ct.Prac.R. II(1)(A)(1).

IT IS ORDERED by the court that the Clerk shall issue an order for the transmittal of the record from the Court of Appeals for Hamilton County and the parties shall proceed in accordance with S.Ct.Prac.R. VI.

MISCELLANEOUS DISMISSALS

2002-0407. State ex rel. Jones v. Indus. Comm.

Franklin App. No. 01AP-565. 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 be, and hereby is, granted.

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

2002-0805. State ex rel. Campbell v. Indus. Comm.

Franklin App. No. 01AP-697. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. It appears from the records of this court that appellant has not filed a merit brief, due August 9, 2002, in compliance with the Rules of Practice of the Supreme Court 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 hereby is, dismissed, sua sponte.

2002-0847. State ex rel. Smoot v. Indus. Comm.

Franklin County, No. 01AP-812. 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 be, and hereby is, granted.

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

2002-1017. State ex rel. Tobin v. Hoppel.

In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus. Upon consideration of respondents' motion to consolidate this case with court of appeals case No. 2002-CO-29 or motion to transfer case to the court of appeals, or, in the alternative, motion to dismiss,

IT IS ORDERED by the court that the motions to consolidate or to transfer be, and hereby are, denied.

IT IS FURTHER ORDERED by the court that the motion to dismiss be, and hereby is, granted, and that this cause be, and hereby is dismissed without prejudice for failure to comply with S.Ct.Prac.R. X(4)(B). *State ex rel. Shemo v. Mayfield Hts.* (2001), 92 Ohio St.3d 324, 750 N.E.2d 167.

2002-1189. Hunter v. Wal-Mart Stores, Inc.

Clinton App. No. CA2001-10-035, 2002-Ohio-2604. 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 hereby is, granted.

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