

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

April 22, 2003

MOTION AND PROCEDURAL RULINGS

1999-1452. State v. Braden.

Franklin C.P. No. 98CR084601. Upon consideration of the motion filed by counsel for appellant to stay the execution of sentence in the above-styled cause pending the timely filing of a petition for a writ of certiorari in the Supreme Court of the United States and pending the exhaustion of state post-conviction remedies,

IT IS ORDERED by the court that said motion be, and hereby is, granted.

IT IS FURTHER ORDERED by the court that compliance with the mandate and execution of sentence be, and hereby are, stayed pending the timely filing of the petition in the Supreme Court of the United States.

IT IS FURTHER ORDERED that if such petition is timely filed, this stay shall continue for an indefinite period pending final disposition of this cause by the Supreme Court of the United States.

IT IS FURTHER ORDERED by the court that this stay shall remain in effect until exhaustion of all state post-conviction proceedings, including any appeals.

IT IS FURTHER ORDERED that counsel for the appellant and for the appellee shall notify this court upon a final disposition by the Supreme Court of the United States or when all proceedings for post-conviction relief before courts of this state have been exhausted, whichever occurs later.

2003-0433. DAK, PLL v. Franklin Cty. Bd. of Revision.

Board of Tax Appeals, No. 2002-A-1940. This cause is pending before the court as an appeal from the Board of Tax Appeals. 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 hereby is, granted, and appellant's merit brief is due on or before May 16, 2003.

2003-0434. DAK, PLL v. Franklin Cty. Bd. of Revision.

Board of Tax Appeals, No. 2002-A-1933. This cause is pending before the court as an appeal from the Board of Tax Appeals. 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 hereby is, granted, and appellant's merit brief is due on or before May 16, 2003.

2003-0435. DAK, PLL v. Franklin Cty. Bd. of Revision.

Board of Tax Appeals, No. 2002-A-1941. This cause is pending before the court as an appeal from the Board of Tax Appeals. 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 hereby is, granted, and appellant's merit brief is due on or before May 16, 2003.

2003-0436. DAK, PLL v. Franklin Cty. Bd. of Revision.

Board of Tax Appeals, No. 2002-A-1934. This cause is pending before the court as an appeal from the Board of Tax Appeals. 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 hereby is, granted, and appellant's merit brief is due on or before May 16, 2003.

2003-0437. DAK, PLL v. Franklin Cty. Bd. of Revision.

Board of Tax Appeals, No. 2002-A-1935. This cause is pending before the court as an appeal from the Board of Tax Appeals. 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 hereby is, granted, and appellant's merit brief is due on or before May 16, 2003.

2003-0438. DAK, PLL v. Franklin Cty. Bd. of Revision.

Board of Tax Appeals, No. 2002-A-1942. This cause is pending before the court as an appeal from the Board of Tax Appeals. 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 hereby is, granted, and appellant's merit brief is due on or before May 16, 2003.

2003-0439. DAK, PLL v. Franklin Cty. Bd. of Revision.

Board of Tax Appeals, No. 2002-A-1943. This cause is pending before the court as an appeal from the Board of Tax Appeals. 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 hereby is, granted, and appellant's merit brief is due on or before May 16, 2003.

2003-0440. DAK, PLL v. Franklin Cty. Bd. of Revision.

Board of Tax Appeals, No. 2002-A-1936. This cause is pending before the court as an appeal from the Board of Tax Appeals. 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 hereby is, granted, and appellant's merit brief is due on or before May 16, 2003.

2003-0441. DAK, PLL v. Franklin Cty. Bd. of Revision.

Board of Tax Appeals, No. 2002-A-1944. This cause is pending before the court as an appeal from the Board of Tax Appeals. 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 hereby is, granted, and appellant's merit brief is due on or before May 16, 2003.

2003-0442. DAK, PLL v. Franklin Cty. Bd. of Revision.

Board of Tax Appeals, No. 2002-A-1937. This cause is pending before the court as an appeal from the Board of Tax Appeals. 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 hereby is, granted, and appellant's merit brief is due on or before May 16, 2003.

2003-0443. DAK, PLL v. Franklin Cty. Bd. of Revision.

Board of Tax Appeals, No. 2002-A-1945. This cause is pending before the court as an appeal from the Board of Tax Appeals. 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 hereby is, granted, and appellant's merit brief is due on or before May 16, 2003.

2003-0444. DAK, PLL v. Franklin Cty. Bd. of Revision.

Board of Tax Appeals, No. 2002-A-1938. This cause is pending before the court as an appeal from the Board of Tax Appeals. 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 hereby is, granted, and appellant's merit brief is due on or before May 16, 2003.

2003-0445. DAK, PLL v. Franklin Cty. Bd. of Revision.

Board of Tax Appeals, No. 2002-A-1939. This cause is pending before the court as an appeal from the Board of Tax Appeals. 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 hereby is, granted, and appellant's merit brief is due on or before May 16, 2003.

MISCELLANEOUS DISMISSALS

2002-1847. Univ. of Cincinnati Med. Assoc., Inc. v. Zaino.

Board of Tax Appeals, No. 99-A-1413. This cause is pending before the court as an appeal from the Board of Tax Appeals. It appears from the records of this court that appellant has not filed a merit brief, due April 15, 2003, 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.

2002-1848. Univ. of Cincinnati Med. Assoc., Inc. v. Zaino.

Board of Tax Appeals, No. 99-A-1411. This cause is pending before the court as an appeal from the Board of Tax Appeals. It appears from the records of this court that appellant has not filed a merit brief, due April 15, 2003, 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.

2002-1849. Univ. of Cincinnati Med. Assoc., Inc. v. Zaino.

Board of Tax Appeals, No. 99-A-1412. This cause is pending before the court as an appeal from the Board of Tax Appeals. It appears from the records of this court that appellant has not filed a merit brief, due April 15, 2003, 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.

2002-1879. State v. Johnson.

Cuyahoga App. No. 80459, 2002-Ohio-4581. This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County. It appears

from the records of this court that appellant has not filed a merit brief, due April 14, 2003, 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.

2002-1958. White v. Am. Mfgs. Mut. Ins. Co.

Montgomery App. No. 19206, 2002-Ohio-4125. This cause is pending before the court on the certification of a conflict by the Court of Appeals for Montgomery 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.

2003-0638. State ex rel. Felson v. Kennedy.

In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus. Upon consideration of relator'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.

MEDIATION REFERRALS

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

2003-0578. State ex rel. Nash v. Indus. Comm.

Franklin App. No. 02AP-616, 2003-Ohio-953.