

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

March 4, 2003

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### MOTION AND PROCEDURAL RULINGS

#### **2002-0925. State v. Lucas.**

Licking App. No. 01CA00100, 2002-Ohio-2514. This cause is pending before the court on the certification of a conflict by the Court of Appeals for Licking County. Upon consideration of the motion of amici curiae, Ohio NOW Education and Legal Fund, Ohio Domestic Violence Network, and Action Ohio Coalition for Battered Women, for leave to participate in oral argument scheduled for March 12, 2003,

IT IS ORDERED by the court that the motion for leave to participate in oral argument be, and hereby is, granted, and the amici curiae shall share the time allotted to appellant.

#### **2002-1515. Haley v. Wilson.**

Summit App. No. 20967, 2002-Ohio-3987. This cause came on for further consideration upon appellee's filing of a bill and documentation of attorney fees. Upon consideration thereof,

IT IS ORDERED by the court that the bill and documentation be, and hereby are, denied as being excessive.

IT IS FURTHER ORDERED that appellee be granted leave to file a new bill and documentation within 20 days of the date of this entry. Appellee's bill and documentation shall be limited to only those matters that were the subject of the motion for sanctions for frivolous action.

Cook, J., dissents.

IT IS FURTHER ORDERED by the court that appellant may file objections to appellee's documentation within 10 days of the filing of the documentation; appellee may file a reply to appellant's objections, if any, within 5 days of the filing of the objections.

Cook, J., dissents.

**2002-1988. State v. Gomez.**

Lorain App. No. 02CA008036, 2002-Ohio-5255. This cause is pending before the court as a discretionary appeal and claimed appeal of right. On November 18, 2002, appellant filed a notice that a motion to certify a conflict was pending in the court of appeals and, pursuant to S.Ct.Prac.R. IV(4)(A), this court stayed consideration of the jurisdictional memoranda filed in this appeal. Whereas appellant has neither notified this court that the court of appeals determined that a conflict does not exist as provided by S.Ct.Prac.R. IV(4)(B), nor filed a copy of the court of appeals' order certifying the existence of a conflict as provided by S.Ct.Prac.R. IV(4)(C),

IT IS ORDERED by the court, sua sponte, that appellant show cause within 20 days of this entry why this court should not proceed to consider the jurisdictional memoranda in this appeal pursuant to S.Ct.Prac.R. III(6).

**2002-2034. Premier Assoc., Ltd. v. Loper.**

Champaign App. No. 2002CA8, 149 Ohio App.3d 660, 2002-Ohio-5538. This cause is pending before the court as a discretionary appeal. On November 25, 2002, appellant filed a notice that a motion to certify a conflict was pending in the court of appeals and, pursuant to S.Ct.Prac.R. IV(4)(A), this court stayed consideration of the jurisdictional memoranda filed in this appeal. Whereas appellant has neither notified this court that the court of appeals determined that a conflict does not exist as provided by S.Ct.Prac.R. IV(4)(B), nor filed a copy of the court of appeals' order certifying the existence of a conflict as provided by S.Ct.Prac.R. IV(4)(C),

IT IS ORDERED by the court, sua sponte, that appellant show cause within 20 days of this entry why this court should not proceed to consider the jurisdictional memoranda in this appeal pursuant to S.Ct.Prac.R. III(6).

**MISCELLANEOUS DISMISSALS**

**2003-0101. Cincinnati School Dist. Bd. of Edn. v. Hamilton Cty. Bd. of Revision.**

Board of Tax Appeals No. 2002-J-1141. This cause is pending before the court as an appeal from the Board of Tax Appeals. Upon consideration of the joint application for dismissal on the grounds that the Board of Tax Appeals has granted relief and this appeal is moot,

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

**2002-2061. State ex rel. Mulholland v. Schweikert.**  
Hamilton App. No. C-020603.

**2003-0087. State ex rel. Wiley v. Whirlpool Corp.**  
Franklin App. No. 02AP-340, 2002-Ohio-6558.