

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

March 6, 2003

MOTION AND PROCEDURAL RULINGS

1997-1390. State v. Cornwell.

Mahoning C.P. No. 96CR525. On October 14, 1999, and February 17, 2000, respectively, this court stayed the execution of sentence in this cause pending the timely filing and disposition of appellant's appeal to the Supreme Court of the United States and the exhaustion of available state remedies. It appearing to the court that all matters have since been disposed of in case No. 1997-1390, appellant's direct appeal of his conviction, and in case No. 2002-1865, appellant's post-conviction appeal,

IT IS ORDERED by the court, sua sponte, that the stays of execution entered in this cause on October 14, 1999, and February 17, 2000, be and hereby are, revoked.

IT IS FURTHER ORDERED by this court that said sentence be carried into execution by the Warden of the Southern Ohio Correctional Facility or, in his absence, by the Deputy Warden on Tuesday, the 3rd day of June, 2003, in accordance with the statutes so provided.

IT IS FURTHER ORDERED that a certified copy of this entry and a warrant under the seal of this court be duly certified to the Warden of the Southern Ohio Correctional Facility and that said Warden shall make due return thereof to the Clerk of the Court of Common Pleas of Mahoning County.

2001-2134. In re Hockstok.

Licking App. No. 01CA40, 2001-Ohio-1680. Sua sponte, it is ordered that fn. 2 of *In re Hockstok*, 98 Ohio St.3d 238, 2002-Ohio-7208, 781 N.E.2d 971, be withdrawn.

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. Upon consideration of appellant's motion for extension of time to file appellant's 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 April 15, 2003.

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. Upon consideration of appellant's motion for extension of time to file appellant's 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 April 15, 2003.

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. Upon consideration of appellant's motion for extension of time to file appellant's 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 April 15, 2003.

2003-0407. Dull v. Lane.

Marion App. No. 9-02-67. This cause was filed as a discretionary appeal and claimed appeal of right. Upon consideration of appellant's jurisdictional memorandum, it is determined by the court that this cause originated in the court of appeals and therefore should proceed as a direct appeal 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 Marion County and the parties shall proceed in accordance with S.Ct.Prac.R. VI.

MISCELLANEOUS DISMISSALS

2003-0278. Hofle v. Gen. Motors Corp.

Warren App. No. CA2002-06-062, 2002-Ohio-7152. This cause is pending before the court as a discretionary appeal. Upon consideration of appellants' 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.