

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

January 27, 2021

[Cite as *01/27/2021 Case Announcements, 2021-Ohio-120.*]

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## MERIT DECISIONS WITHOUT OPINIONS

### **2020-1164. State ex rel. Callow v. Warner.**

In Mandamus and Prohibition. On respondents' motion for judgment on pleadings. Motion granted. Respondents' amended motion for protective order denied as moot. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

### **2020-1180. State ex rel. Bainbridge Twp. v. Grosko.**

In Mandamus. On respondent's motion to dismiss. Motion granted. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

### **2020-1276. State ex rel. Kent v. Fambro.**

In Mandamus. On respondent's motion to dismiss. Motion granted. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

**2020-1280. Arnoff v. State.**

In Mandamus. On respondents' motions to dismiss. Motions granted. Relator's motions for judicial release and for medical release denied as moot. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

**2020-1288. Yunis Adon El Express Trust v. Ohio Dept. of Job & Family Servs.**

Miscellaneous case. On respondents' motions to dismiss. Motions granted. Respondent Kimberly Hall's motion to strike second amended complaint or, in the alternative, motion to dismiss granted. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

**2020-1299. State ex. rel. Hatfield v. Brice.**

In Prohibition. On respondent's motion for judgment on pleadings. Motion granted. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

**2020-1311. State ex rel. Fikes v. Christ Hosp.**

In Mandamus. On respondent's motion to dismiss. Motion granted. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

**2020-1328. Thomson v. Summit Cty. Sheriff's Dept.**

In Mandamus and Procedendo. On respondents' motion to dismiss. Motion granted. Relator's "motion to amend prayer amount" denied. Relator's motion for stay of lower court's decision pending referral to mediation, motion to grant writs under Civ.R. 12(C), "motion to strike any/all documents by Deputy Lt. Lowe respondent pro-se," motion for oral argument, request for "judgment order/relief Civ.R. 12(C) based on further hospital documentation," request for referral to mediation, and "motion to compliant double action under Civ.R.12(C)" denied as moot. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

**2020-1345. Dawson-Durgan v. Grosko.**

In Mandamus. On respondent's motion to dismiss. Motion granted. Relator's request for leave to amend complaint denied. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, and Brunner, JJ., concur.

Stewart, J., would deny relator's request as moot.

**2020-1358. Littlepage v. First Dist. Court of Appeals.**

In Mandamus. On respondent's motion to dismiss. Motion granted. Cause dismissed.

O'Connor, C.J., and Kennedy, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

Fischer, J., not participating.

**2020-1360. State ex rel. Arega v. Tenth Dist. Court of Appeals.**

In Mandamus. On respondent's motion to dismiss. Motion granted. Relator's motions for default judgment and motions to strike motion to dismiss denied. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, and Stewart, JJ., concur.

Brunner, J., not participating.

**2020-1362. Preston v. McCarty.**

In Procedendo. On respondent's motion to dismiss. Motion granted. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

**2020-1379. Wisehart v. Brogan.**

In Mandamus and Prohibition. On respondent's motion to dismiss. Motion granted. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

**2020-1397. State ex rel. Banks v. Medina Cty. Court of Common Pleas Judges.**

In Mandamus and Procedendo. On respondents' motion to dismiss. Motion granted. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

**2020-1454. State ex rel. Cole v. State.**

In Procedendo. On relator's motion for leave. Motion denied. Respondent's motion to dismiss granted. Respondent's request to declare relator vexatious litigator denied. Cause dismissed.

O'Connor, C.J., and Kennedy, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

Fischer, J., would grant the request to declare relator a vexatious litigator.

**2020-1460. State ex rel. Warren v. Licking Cty. Pros. Atty.**

In Mandamus. On respondent's motion to dismiss. Motion granted. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

## **MOTION AND PROCEDURAL RULINGS**

**2020-0401. State ex rel. Lichtenwalter v. DeWine.**

In Mandamus. On relator's motion for relief from judgment. Motion denied. Relator's motion to take judicial notice of adjudicative facts denied.

**2020-0508. State v. Metz.**

Cuyahoga App. Nos. 107212, 107261, 107259, and 107246, 2019-Ohio-4054. On appellee Richard Tenney's motion for stay or, in the alternative, motion to dismiss appeal as improvidently granted. Motion denied.

**2020-1243. State v. Velliquette.**

Lucas App. No. L-19-1232, 2020-Ohio-4855. On review of order certifying a conflict. The court determines that a conflict exists. Sua sponte, cause held for the decision in 2020-1266, *State v. Maddox*, and briefing schedule stayed.

Kennedy, J., dissents.

**2020-1294. State v. Irvin.**

Montgomery App. No. 28495, 2020-Ohio-4847. On review of order certifying a conflict. The court determines that a conflict exists. Sua sponte, cause consolidated with 2020-1420, *State v. Irvin*, cause held for the decision in 2020-1189, *State v. Brooks*, and briefing schedule stayed.

O'Connor, C.J., and Donnelly, J., dissent.

## APPEALS ACCEPTED FOR REVIEW

### **2020-1420. *State v. Irvin.***

Montgomery App. No. 28495, 2020-Ohio-4847. Appeal accepted on proposition of law No. I. Sua sponte, cause consolidated with 2020-1294, *State v. Irvin*, cause held for the decision in 2020-1189, *State v. Brooks*, and briefing schedule stayed.

Kennedy and Stewart, JJ., would accept the appeal on both propositions of law.

Donnelly, J., dissents.