

Douglas S. Caldwell et ux.

v.

Petersburg Stone Company et al.

Case No. 2006-0184

JUDGMENT ENTRY

APPEAL FROM THE
COURT OF APPEALS

This cause, here on appeal and cross-appeal from the Court of Appeals for Mahoning County, was considered in the manner prescribed by law. On consideration thereof, this cause is dismissed, sua sponte, as having been improvidently accepted.

It is ordered by the Court that the opinion of the court of appeals may not be cited as authority except by the parties inter se.

It is further ordered that costs are assessed pursuant to S.Ct.Prac.R XI(5) and that a mandate be sent to the Court of Common Pleas for Mahoning County to carry this judgment into execution and that a copy of this entry be certified to the Clerk of the Court of Appeals for Mahoning County for entry.

(Mahoning County Court of Appeals; No. 05MA12)

THOMAS J. MOYER
Chief Justice