

Carroll E. Newman, Adams County  
Auditor

v.

William W. Wilkins [Richard A. Levin],  
Tax Commissioner of Ohio, et al.

Case No. 2007-1054

ENTRY

APPEAL FROM THE  
BOARD OF TAX APPEALS

This cause is pending before the Court as an appeal and cross-appeal from the Board of Tax Appeals. Upon consideration of appellee/cross appellants' motion to dismiss notice of appeal of the Tax Commissioner, motion for oral argument on the motion to dismiss, and motion to dismiss certain claims or assignments of error set forth in the notice of appeal filed by the county auditor,

It is ordered by the Court that the motion to dismiss the Tax Commissioner's appeal is granted and the appeal is dismissed. Accordingly, the motion for oral argument on the motion to dismiss is denied as moot.

It is further ordered that the motion to dismiss certain claims or assignments is denied without prejudice to the parties' raising similar or related issues in their briefs.

The appeal of Carroll E. Newman, Adams County Auditor, and the cross-appeal remain pending, and the Clerk shall designate Tax Commissioner as an appellee/cross-appellee in this case.

It is further ordered by the Court that the stay of briefing in this case is lifted, and appellant/cross-appellee's brief is due forty days from the date of this entry.

(Board of Tax Appeals; Nos. 2002M170, 2002M171 and 2002M172)

---

THOMAS J. MOYER  
Chief Justice