

Washington Mutual Bank fka, Washington
Mutual Bank, FA

Case No. 2008-1056

E N T R Y

v.

Jack K, Beatley, et al.

This cause is pending before the Court on the certification of a conflict by the Court of Appeals for Franklin County. On review of the order certifying a conflict,

It is determined that a conflict exists. The parties are to brief the issue stated in the court of appeals' Journal Entry filed May 20, 2008, as follows:

“When a trial court dismisses a plaintiff's action for lack of capacity to maintain an action, does R.C. 1703.29 prevent the plaintiff from appealing that decision?”

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 Franklin County.

(Franklin County Court of Appeals; No. 06AP1189)

THOMAS J. MOYER
Chief Justice