

Yoshanta Beckett, et al.

Case No. 2008-2106

v.

JOURNAL
E N T R Y

Richard Warren, et al.

Upon consideration of the jurisdictional memoranda filed in this case, the Court accepts the cross-appeal on Proposition of Law No. I and the Court declines jurisdiction to hear the appeal and dismisses the appeal as not involving any substantial constitutional question.

Upon consideration of appellee/cross-appellants' motion to clarify the docket,

It is ordered by the Court that the motion is granted. The Court determines that a conflict exists and the Court will answer the certified question in this case. The parties are to brief the issue stated at page 1 of the court of appeals Journal Entry filed October 21, 2008, as follows:

"Whether 'a plaintiff pursuing a claim for bodily injury damages in a case involving a dog are required to elect between pursuing a statutory claim under R.C. 955.28 and a common law claim for negligence.'"

It is further ordered that the Clerk shall issue an order for the transmittal of the record from the Court of Appeals for Summit County, and the parties shall brief this case in accordance with the Rules of Practice of the Supreme Court of Ohio.

(Summit County Court of Appeals; No. 23909)

THOMAS J. MOYER
Chief Justice