

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

December 11, 2009

[Cite as *12/11/2009 Case Announcements*, 2009-Ohio-6486.]

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## MOTION AND PROCEDURAL RULINGS

### **2009-0995. *Lasson v. Coleman.***

Montgomery App. No. 22213, 2009-Ohio-1958. This cause came on for further consideration upon appellant's motion to strike show cause order.

It is ordered by the court that the motion is denied.

### **2009-1198. *State v. Baker.***

Summit App. No. 23713, 2009-Ohio-2340. It is ordered by the court, sua sponte, that this cause is no longer held for the decision in 2009-0833, *State v. Simmons*. The parties are to brief the issue stated in the court of appeals' Judgment Entry filed June 24, 2009, as follows:

“Does the holding of *Old Chief v. United States* (1997), 519 U.S. 172, granting a right to a Defendant to stipulate to prior criminal convictions apply to state law prosecutions, or it is limited solely to prosecutions under federal law?”

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 Summit County.

### **2009-2165. *State ex rel. Pollock v. Lillian & Betty Ratner School, Inc.***

In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus. Upon consideration of relators' motion for redaction,

It is ordered by the court that the motion is granted, and counsel for relator shall come to the Supreme Court of Ohio Clerk's office and redact all personal identifiers, as defined by Rule 44(H) of the Rules of Superintendence for the Courts of Ohio, from the appendix of exhibits filed in this case within ten days of the date of this entry.

**2009-2197. In re T.S.**

Cuyahoga App. No. 92816, 2009-Ohio-5496. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon review of the appeal, it appears that the case involves the termination of parental rights/adoption. Accordingly,

It is ordered by the court, sua sponte, that this case shall proceed according to the Rules of Practice of the Supreme Court of Ohio that pertain to the termination of parental rights or adoption of a minor child. Appellee's memorandum in response shall be filed no later than 20 days from the date of this entry.

**2009-2205. Empower Aviation, L.L.C. v. Butler Cty. Bd. of Commrs.**

Hamilton App. No. C-090616, 2009-Ohio-6331. This cause is pending before the court as a discretionary appeal. Upon consideration of appellant's motion for immediate stay of the court of appeals' decision,

It is ordered by the court that the motion is denied.

Lundberg Stratton, J., dissents.

### **MEDIATION REFERRALS**

The following cases have been referred to mediation pursuant to S.Ct.Prac.R. XIV(6):

**2009-1914. Southeastern Local School Dist. Bd. of Edn. v. Clark Cty. Bd. of Revision.**

Board of Tax Appeals, No. 2007-T-432.

**2009-2057. N. Royalton City School Dist. Bd. of Edn. v. Cuyahoga Cty. Bd. of Revision.**

Board of Tax Appeals, No. 2006-M-1421.

**2009-2136. State ex rel. Brown v. Strickland.**

In Mandamus.

The following case has been returned to the regular docket pursuant to S.Ct.Prac.R. XIV(6)(E):

**2009-1666. State ex rel. Marrero v. Indus. Comm.**

Franklin App. No. 08AP-922, 2009-Ohio-4382.