

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

February 2, 2010

[Cite as *02/02/2010 Case Announcements*, 2010-Ohio-333.]

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## MERIT DECISIONS WITH OPINIONS

### **2008-2047. State v. Palmer, Slip Opinion No. 2010-Ohio-224.**

Hamilton App. No. C-010583, 178 Ohio App.3d 192, 2008-Ohio-4604. Judgment of the court of appeals vacated, and cause remanded to the trial court for resentencing.

Moyer, C.J., and Lundberg Stratton, O'Connor, O'Donnell, and Cupp, JJ., concur.

Pfeifer and Lanzinger, JJ., dissent and would dismiss the appeal as having been improvidently accepted.

### **2009-1624 and 2009-1626. State ex rel. R.W. v. Sweeney, Slip Opinion No. 2010-Ohio-223.**

Cuyahoga App. Nos. 93414 and 93415. Judgments affirmed.

Moyer, C.J., and Pfeifer, Lundberg Stratton, O'Connor, O'Donnell, Lanzinger, and Cupp, JJ., concur.

## MOTION AND PROCEDURAL RULINGS

### **1994-1964. State v. Garner.**

Hamilton App. No. C-920864. This cause came on for further consideration upon appellee's motion to set execution date. Upon consideration thereof,

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

It is further ordered that appellant's sentence be carried into execution by the Warden of the Southern Ohio Correctional Facility or, in his absence, by the Deputy Warden on Tuesday, July 13, 2010, in accordance with the statutes so provided.

It is further ordered that a certified copy of this entry and a warrant under the seal of this court be duly certified to the Warden of the Southern Ohio Correctional Facility and that said warden shall make due return thereof to the Clerk of the Court of Common Pleas of Hamilton County.

**1996-0452. State v. Davie.**

Trumbull App. No. 92-T-4693. This cause came on for further consideration upon appellee's motion to set execution date. Upon consideration thereof,

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

It is further ordered that appellant's sentence be carried into execution by the Warden of the Southern Ohio Correctional Facility or, in his absence, by the Deputy Warden on Tuesday, August 10, 2010, in accordance with the statutes so provided.

It is further ordered that a certified copy of this entry and a warrant under the seal of this court be duly certified to the Warden of the Southern Ohio Correctional Facility and that said warden shall make due return thereof to the Clerk of the Court of Common Pleas of Trumbull County.

**1996-1149. State v. Keith.**

Crawford App. No. 3-94-14. This cause came on for further consideration upon appellee's motion to set execution date. Upon consideration thereof,

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

It is further ordered that appellant's sentence be carried into execution by the Warden of the Southern Ohio Correctional Facility or, in his absence, by the Deputy Warden on Wednesday, September 15, 2010, in accordance with the statutes so provided.

It is further ordered that a certified copy of this entry and a warrant under the seal of this court be duly certified to the Warden of the Southern Ohio Correctional Facility and that said warden shall make due return thereof to the Clerk of the Court of Common Pleas of Crawford County.

**DISCIPLINARY CASES**

**2008-1270. Akron Bar Assn. v. Maher.**

On February 5, 2009, this court indefinitely suspended respondent, Douglas B. Maher, Attorney Registration No. 0024038, last known business address in Barberton, Ohio, from the practice of law pursuant to Gov.Bar R.V(6)(B)(2).

On October 13, 2009, relator, Akron Bar Association, filed a motion requesting this court to issue an order directing respondent to show cause why he should not be found in contempt for failure to comply with this court's February 5,

2009, order. On December 4, 2009, this court ordered respondent to appear in person before the court on January 12, 2010. Respondent failed to appear before the court on the scheduled date. Upon consideration thereof,

It is ordered that respondent is found in contempt.

It is further ordered that respondent shall serve 20 days in jail and that a warrant be issued for his arrest to the Sheriff of Summit County and to the sheriffs of such other counties as the contemnor may frequent. It is further ordered that 15 days of the time in jail may be purged if respondent cooperates with the Akron Bar Association with regard to the disposition of respondent's files the bar association has in its possession.

It is further ordered, sua sponte, that the Clerk of the Supreme Court of Ohio is authorized to release to the appropriate law enforcement officials any information contained in the records of the court concerning respondent that is otherwise confidential, including respondent's Social Security number, for the purpose of facilitating execution of the warrant issued for the arrest of respondent.

It is further ordered, sua sponte, that all documents filed with this court in this case shall meet the filing requirements set forth in the Rules of Practice of the Supreme Court of Ohio, including requirements as to form, number, and timeliness of filings.

It is further ordered that respondent may not petition for reinstatement until he has paid the board and publication costs, plus interest and collection fees, owed in this case.

It is further ordered, sua sponte, that service shall be deemed made on respondent by sending this order and all other orders in this case by certified mail to the last known address of respondent.

It is further ordered that the Clerk of this court issue certified copies of this order as provided for in Gov.Bar R.V(8)(D)(2) and that respondent bear the costs of publication.

## **MISCELLANEOUS ORDERS**

### **2009-1906. In re Application of Hill.**

On October 21, 2009, the Board of Commissioners on Character and Fitness filed its final report in this court pursuant to Gov.Bar R. I(12)(E) recommending that the application for admission without examination of Willard Wardell Hill Jr. be denied but that he be permitted to reapply for admission to the practice of law in Ohio in 12 months.

Upon review of the panel's report and the board's recommendation, the court concludes that it will review the application that has been pending since January, 2007. Accordingly, the court declines to accept the board's recommendation to deny

the application and orders that the Office of Bar Admissions submit the application of Willard Wardell Hill Jr. to the court for full review pursuant to Gov.Bar R. I(9)(F)(1).