

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

December 24, 2013

[Cite as *12/24/2013 Case Announcements*, 2013-Ohio-5678.]

MERIT DECISIONS WITH OPINIONS

2013-0226. Disciplinary Counsel v. Anthony, Slip Opinion No. 2013-Ohio-5502.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 11-086. Mark Allan Anthony, Attorney Registration No. 0056048, is indefinitely suspended from the practice of law in Ohio.

Pfeifer, O'Donnell, Kennedy, and O'Neill, JJ., concur.

O'Connor, C.J., and Lanzinger and French, JJ., dissent.

2013-1292. Ohio State Bar Assn. v. Ryan, L.L.C., Slip Opinion No. 2013-Ohio-5500.

On Final Report by the Board on the Unauthorized Practice of Law, No. UPL 11-03. Consent decree approved. Ryan, L.L.C., and Brett Koch are enjoined from all activities that constitute the unauthorized practice of law in Ohio.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

MERIT DECISIONS WITHOUT OPINIONS

2013-1166. State ex rel. Daily Servs., Inc. v. Buehrer.

In Mandamus and Prohibition. On motion to dismiss. Motion granted. Cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

2013-1419. Alt v. Cuyahoga Cty. Court of Common Pleas.

In Mandamus and Prohibition. On motion to dismiss. Motion granted. Motion to amend the case caption is denied. Cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

2013-1504. Becker v. Bunting.

In Habeas Corpus. On petition for writ of habeas corpus of Jan Francis Becker et al. Cause dismissed. Petitioners' instant motion for immediate en banc hearing is denied.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

2013-1508. Huelsman v. Grosz.

In Procedendo. On answer of respondent. On S.Ct.Prac.R. 12.04 determination, cause dismissed. Motion to quash denied as moot.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

2013-1514. Roberts v. Schooley.

In Habeas Corpus. On petition for writ of habeas corpus of Michael Roberts. Sua sponte, cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

2013-1529. State ex rel. Muhammad v. Stewart.

In Mandamus and Prohibition. On respondents' motions to dismiss. Motions granted. Relator's motion for relief is denied. Cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

2013-1548. State ex rel. Collins v. Tibbals.

In Habeas Corpus. On petition for writ of habeas corpus of Shawn Collins Jr. Sua sponte, cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

2013-1552. Plassman v. Ohio Adult Parole Auth.

In Habeas Corpus. On petition for writ of habeas corpus of Todd Plassman. Sua sponte, the writ is allowed. Allowing the writ means only that a return is ordered.

Respondent shall file a return of writ within 21 days of service of the petition, and petitioner may file a response within ten days after the return is filed. Petitioner's physical presence before the court is not required.

Pfeifer, O'Donnell, Kennedy, and O'Neill, JJ., concur.

O'Connor, C.J., and Lanzinger and French, JJ., dissent.

2013-1561. State ex rel. Harsh v. Ringland.

In Mandamus. On motion to dismiss. Motion granted. Relator's motions to strike the motion to dismiss and for judgment on the pleadings are denied. Cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

2013-1571. State ex rel. Simms v. Kelly.

In Habeas Corpus. On petition for writ of habeas corpus of Timothy Simms Jr. Sua sponte, cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

2013-1617. Victor v. Sandusky Cty. Court of Common Pleas.

In Mandamus. On motion to dismiss of the Sixth District Court of Appeals of Ohio and the motion to dismiss of the state of Ohio and the Ohio attorney general. Motions granted. Cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

2013-1618. State ex rel. Johnson v. Sheeran.

In Procedendo. On complaint in procedendo of Alphonso Johnson. On S.Ct.Prac.R. 12.04 determination, cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

2013-1632. Cioffi v. Trumbull Cty. Official Court Reporters.

In Mandamus. On motion to dismiss. Motion granted. Cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

2013-1634. Siegel v. Helmick.

In Mandamus. On complaint in mandamus of Richard Siegel. On S.Ct.Prac.R. 12.04 determination, cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

2013-1637. Robinson v. LaRose.

In Habeas Corpus. On petition for writ of habeas corpus of Jackie M. Robinson. Cause dismissed. Petitioner's motion for release on recognizance or surety is denied.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

2013-1655. State ex rel. Wilson v. Lott.

In Mandamus. On motion to dismiss. Motion granted. Relator's motion to inform the court is denied as moot. Cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

2013-1659. Taylor v. Second Dist. Court of Appeals.

In Mandamus. On motion to dismiss. Motion granted. Cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

2013-1666. State ex rel. Vincent v. Holzapfel.

In Mandamus. On motion to dismiss. Motion granted. Cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

2013-1697. Roby v. Horton.

In Procedendo. On complaint in procedendo of Paul Roby. Cause dismissed as moot.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

2013-1721. Trammell v. Cook.

In Habeas Corpus. On petition for writ of habeas corpus of Raleigh Trammell. Sua sponte, cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

2013-1740. State ex rel. Campbell v. Hamilton Cty. Court of Common Pleas.
In Habeas Corpus. On petition for writ of habeas corpus of Arthur Campbell. Sua sponte, cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

MOTION AND PROCEDURAL RULINGS

2010-1373. State v. Thompson.

Summit App. No. CR2008072390. On motion for determination of jurisdiction and request for oral argument. Motions denied.

2012-1212. State v. Montgomery.

Franklin App. No. 10-CR-7125. On motion for expedited consideration. Motion denied.

O'Donnell, J., dissents.

2012-1755. State ex rel. Sheppard v. Indus. Comm.

Franklin App. No. 11AP-553, 2012-Ohio-4301. On request for oral argument. Request denied.

2013-0090. State ex rel. Evans v. Marshall.

In Mandamus and Procedendo. On motion for relief from judgment. Motion denied.

2013-0828. State ex rel. Harris v. Scott.

Franklin App. No. 13AP-295. On motion to dismiss. Motion to dismiss granted. Cause dismissed.

French, J., not participating.

2013-1689. State v. Johnson.

Summit App. No. 26782. On motion for delayed appeal. Motion denied.

O'Connor, C.J., not participating.

Kennedy and O'Neill, JJ., dissent.

2013-1702. State v. Chapman.

Summit App. No. 26175, 2013-Ohio-357. On motion for delayed appeal. Motion denied.

2013-1709. Bank of New York Mellon v. Casey.

Fairfield App. No. 13-CA-26, 2013-Ohio-4686. On motion for stay of lower court case(s). Motion denied.

O'Donnell, J., dissents.

2013-1722. State v. Barnett.

Scioto App. No. 12CA3527, 2013-Ohio-3838. On motion for delayed appeal. Motion denied.

Pfeifer and O'Neill, JJ., dissent.

2013-1724. State v. Brusiter.

Cuyahoga App. No. 98614, 2013-Ohio-1445. On motion for delayed appeal. Motion denied.

2013-1785. State v. Vinson.

Butler App. No. CA2012-09-179, 2013-Ohio-1844. On motion for delayed appeal. Motion denied.

O'Neill, J., dissents.

2013-1856. Sunset Estate Properties, L.L.C. v. Lodi.

Medina App. No. 12CA0023-M, 2013-Ohio-4973. On motion for immediate stay of court of appeals' judgment. Motion denied.

Pfeifer, O'Donnell, and Lanzinger, JJ., dissent.

APPEALS ACCEPTED FOR REVIEW

2013-1400. Lee v. Cardington.

Morrow App. No. 12CA0017, 2013-Ohio-3108. Discretionary appeal accepted on Proposition of Law No. I.

Pfeifer, O'Donnell, and French, JJ., would also accept Proposition of Law No. II.

O'Connor, C.J., and Lanzinger and O'Neill, JJ., dissent.

Discretionary cross-appeal not accepted.

O'Connor, C.J., and Pfeifer and French, JJ., dissent.

2013-1410. State v. Sowards.

Gallia App. No. 06CA13, 2013-Ohio-3265. Discretionary appeal accepted and cause reversed and remanded for application of *State v. McDonald*, ___ Ohio St.3d ___, 2013-Ohio-5042, ___ N.E.2d ___.

O'Donnell, Kennedy, and French, JJ., dissent.
On motion for stay of execution. Motion denied.

2013-1441. State v. Ruff.

Hamilton App. Nos. C-120533 and C-120534, 2013-Ohio-3234.
Pfeifer and Lanzinger, JJ., dissent.

2013-1527. Granger v. Auto-Owners Ins. Co.

Summit App. No. 26473, 2013-Ohio-2792.
Pfeifer and Lanzinger, JJ., dissent.

2013-1591. State v. Quarterman.

Summit App. No. 26400, 2013-Ohio-3606.
O'Connor, C.J., and O'Donnell and French, JJ., dissent.

APPEALS NOT ACCEPTED FOR REVIEW

2013-1207. Ohio Environmental Protection Agency v. Lowry.

Franklin App. No. 12AP-982, 2013-Ohio-2779.

Lanzinger, J., dissents and would accept the appeal on Proposition of Law
No. II.

French, J., not participating.

2013-1254. Phillips v. Deskin[s].

Richland App. No. 12CA119, 2013-Ohio-3025.
O'Donnell, J., dissents.

2013-1402. State v. Eggers.

Clark App. No. 2011-CA-48, 2013-Ohio-3174.

2013-1409. State v. Weber.

Montgomery App. No. 25508, 2013-Ohio-3172.

2013-1411. Five Star Fin. Corp. v. Merchants Bank & Trust Co.

Hamilton App. No. C-120814, 2013-Ohio-3097.

2013-1414. State v. Roush.

Franklin App. No. 12AP-201, 2013-Ohio-3162.

2013-1415. Omnireal, Inc. v. Meyers Lake Village Council.

Stark App. No. 2012CA00163, 2013-Ohio-2222.

O'Connor, C.J., dissents.

French, J., dissents and would accept the appeal on Proposition of Law No. I.

2013-1420. State v. Leigh.

Cuyahoga App. No. 99181, 2013-Ohio-3243.

2013-1425. State v. Shough.

Licking App. No. 13-CA-3, 2013-Ohio-3329.

2013-1428. Federman v. Christ Hosp.

Hamilton App. No. C-120484.

Pfeifer, O'Donnell, and O'Neill, JJ., dissent.

2013-1429. State v. Willis.

Cuyahoga App. No. 98847, 2013-Ohio-2531.

O'Connor, C.J., and Pfeifer and O'Donnell, JJ., dissent.

2013-1433. State v. Swiger.

Summit App. No. 26556, 2013-Ohio-3519.

French and O'Neill, JJ., dissent.

2013-1435. Brookwood Presbyterian Church v. Ohio Dept. of Edn.

Franklin App. No. 12AP-487, 2013-Ohio-3260.

Pfeifer, J., dissents.

French, J., not participating.

2013-1436. State v. Inman.

Hocking App. No. 12CA16, 2013-Ohio-3351.

O'Neill, J., dissents.

2013-1437. Laveer v. Laveer.

Delaware App. No. 12 CAF 12 0086, 2013-Ohio-3294.

Kennedy, J., dissents and would accept the appeal on Proposition of Law No. II and hold the cause for the decision in 2012-1782, *State v. McGlothan*, 8th Dist. Cuyahoga No. 97212, 2012-Ohio-4049.

2013-1438. Kasidonis v. Univ. Hosp.

Hamilton App. No. C-130007.

2013-1445. Cireddu v. Clough.

Lake App. No. 2012-L-103, 2013-Ohio-2042.

2013-1446. State v. Bryant.

Cuyahoga App. No. 99039, 2013-Ohio-3239.

2013-1449. State v. Rogers.

Cuyahoga App. No. 99246, 2013-Ohio-3246.

2013-1453. State v. Habo.

Portage App. No. 2012-P-0056, 2013-Ohio-2142.

2013-1459. State v. Imani.

Tuscarawas App. No. 2013 AP 01 0008, 2013-Ohio-2082.

2013-1460. Burroughs v. Ohio Dept. of Adm. Servs.

Franklin App. No. 12AP000522, 2013-Ohio-3261.

O'Neill, J., dissents.

2013-1461. Davis v. Butler Cty. Bd. of Revision.

Butler App. No. CA2012-05-114, 2013-Ohio-3310.

2013-1463. State v. Biggs.

Stark App. No. 2013CA00009, 2013-Ohio-3333.

Kennedy, J., dissents and would accept the appeal on Proposition of Law No. I.

2013-1467. State v. Grant.

Hamilton App. No. C-120695, 2013-Ohio-3421.

2013-1469. State v. Slaven.

Delaware App. No. 12 CAA 08 0062, 2013-Ohio-3352.

2013-1471. In re Appeal of Adm. Appeal Decision Issued by Ohio Dept. of Job & Family Servs. Bur. of State Hearings.

Ashtabula App. No. 2012-A-0058, 2013-Ohio-2817.

2013-1474. In re C.V.M.

Cuyahoga App. No. 99426, 2013-Ohio-3361.

2013-1475. State v. Gover.

Franklin App. No. 12AP-777, 2013-Ohio-3366.

2013-1476. State v. Wetherby.

Licking App. No. 12-CA-69, 2013-Ohio-3442. Discretionary appeal and cross-appeal not accepted.

2013-1477. State v. Ball.

Licking App. No. 13-CA-17, 2013-Ohio-3443.
Lanzinger, J., dissents.

2013-1479. State v. Braggs.

Hamilton App. No. C-130073, 2013-Ohio-3364.
Lanzinger, J., dissents.

2013-1484. State v. Boles.

Montgomery App. No. 25526, 2013-Ohio-3376.

2013-1486. State v. Davis.

Hamilton App. No. C-120720.
O'Connor, C.J., and Kennedy, J., dissent.

2013-1487. State v. Flagg.

Hamilton App. No. C-120719.
O'Connor, C.J., and Kennedy, J., dissent.

2013-1490. State v. Williams.

Stark App. No. 2012CA00189, 2013-Ohio-3448.
Lanzinger, J., dissents.

2013-1494. State v. Perkins.

Preble App. No. CA2012-09-012, 2013-Ohio-3409.

2013-1496. Kapszukiewicz v. Chiaverini, Inc.

Lucas App. No. L-12-1292, 2013-Ohio-3464.
Kennedy, J., dissents.

2013-1497. Wegrzyn v. Am. Family Ins. Co.
Lucas App. No. L-12-1193, 2013-Ohio-3471.

2013-1498. State v. Godinez.
Lucas App. No. L-13-1113.

2013-1500. Rodriguez v. Greater Dayton Regional Transit Auth.
Montgomery App. No. 25583, 2013-Ohio-3463.
O'Donnell, J., dissents.

2013-1502. State v. Carpenter.
Delaware App. No. 12 CAC 12 0087, 2013-Ohio-3439.

2013-1505. Speedway, L.L.C. v. Berea Planning Comm.
Cuyahoga App. No. 99341, 2013-Ohio-3433.

2013-1507. Sims v. Nissan N. Am., Inc.
Franklin App. No. 12AP-833, 2013-Ohio-2662.
French, J., dissents.
O'Connor, C.J., not participating.

2013-1509. Wells Fargo Bank, N.A. v. Griffiths.
Huron App. No. H-12-027, 2013-Ohio-3472.
O'Donnell, J., dissents.

2013-1511. State v. Viccaro.
Cuyahoga App. No. 99816, 2013-Ohio-3437.
O'Donnell and Kennedy, JJ., dissent.

2013-1512. Orix Capital Markets, L.L.C. v. Sterling Telecom Office Bldg.
Cuyahoga App. No. 100211.

2013-1513. State v. Forney.
Champaign App. No. 2012-CA-36, 2013-Ohio-3458.

2013-1519. State v. Martin.
Hamilton App. No. C-120771.

2013-1522. State v. Klein.
Summit App. No. 26573, 2013-Ohio-3514.

2013-1524. State v. Morrison.

Delaware App. No. 12 CAA 08 0053, 2013-Ohio-2182.

2013-1526. State v. Coffey.

Lucas App. No. L-12-1047, 2013-Ohio-3555.

2013-1528. McDonald v. Canton Med. Edn. Found., Inc.

Stark App. No. 2012CA00240, 2013-Ohio-3659.

2013-1530. State v. Piesciuk.

Butler App. No. CA2013-01-011, 2013-Ohio-3879.

2013-1531. State v. Linde.

Summit App. No. 26714, 2013-Ohio-3503.

2013-1532. State v. Perez.

Mahoning App. No. 12 MA 110, 2013-Ohio-3587.

2013-1536. Davis v. State Emp. Relations Bd.

Franklin App. No. 13AP-40, 2013-Ohio-3545.

2013-1539. State v. Quillen.

Butler App. No. CA2012-10-217, 2013-Ohio-3672.

2013-1553. State v. Melhado.

Franklin App. No. 13AP-114, 2013-Ohio-3547.

2013-1554. State v. Thompkins.

Franklin App. No. 12AP-1080, 2013-Ohio-3599.

French, J., not participating.

2013-1558. State v. Jackson.

Richland App. No. 2012-CA-0020.

2013-1559. Smith v. Williams.

Stark App. No. 2013CA00138.

Kennedy, J., dissents and would accept the appeal on Proposition of Law No. III.

French, J., not participating.

2013-1564. State v. Taylor.

Franklin App. No. 12AP-870, 2013-Ohio-3699.

2013-1572. State v. Williamson.

Cuyahoga App. No. 99473, 2013-Ohio-3733.

2013-1575. State v. Montgomery.

Montgomery App. No. 24621, 2013-Ohio-3040.

2013-1576. State v. Jones.

Summit App. No. 26854, 2013-Ohio-3710. Discretionary appeal not accepted. Motion to hold pending outcome of *State v. Rogers* is denied as moot.

2013-1586. Link v. Ohio State Bd. of Edn.

Knox App. No. 13CA19, 2013-Ohio-4229.

2013-1594. State v. Jones.

Summit App. No. 26540, 2013-Ohio-3604.

2013-1608. State v. Green.

Cuyahoga App. No. 99196, 2013-Ohio-3728.

O'Donnell, J., dissents and would accept the appeal on Proposition of Law No. I.

2013-1610. State v. Bennington.

Adams App. No. 12CA956, 2013-Ohio-3772.

2013-1611. State v. Jones.

Butler App. No. CA2012-04-077.

2013-1616. State v. Brusiter.

Cuyahoga App. No. 98614, 2013-Ohio-3803.

2013-1633. State v. Greer.

Summit App. No. 26470, 2013-Ohio-4267.

RECONSIDERATION OF PRIOR DECISIONS

2009-0739. State v. Wesson.

Summit App. No. CR2008030710. Reported at ___ Ohio St.3d ___, 2013-Ohio-4575, ___ N.E.2d ___. On motion for reconsideration and to stay the mandate. Motion denied.

Joseph J. Vukovich, J., of the Seventh Appellate District, sitting for O'Connor, C.J.

2012-0215. State v. Clark.

Cuyahoga App. No. 96207, 2011-Ohio-6623. Reported at ___ Ohio St.3d ___, 2013-Ohio-4731, ___ N.E.2d ___. On motion for reconsideration. Motion denied.

O'Connor, C.J., and Lanzinger and French, JJ., dissent.

2012-0535. Cullen v. State Farm Mut. Auto. Ins. Co.

Cuyahoga App. No. 95925, 2011-Ohio-6621. Reported at ___ Ohio St.3d ___, 2013-Ohio-4733, ___ N.E.2d ___. On motion for reconsideration. Motion denied.

Pfeifer, J., dissents.

Matthew W. McFarland, J., of the Fourth Appellate District, sitting for French, J.

2012-1150. Pauley v. Circleville.

Pickaway App. No. 10CA31, 2010-Ohio-2309. Reported at 137 Ohio St.3d 212, 2013-Ohio-4541, 998 N.E.2d 1083. On motion for reconsideration. Motion denied.

Pfeifer and O'Neill, JJ., dissent.

2013-0341. Pruitt v. Cook.

In Habeas Corpus. Reported at 137 Ohio St.3d 296, 2013-Ohio-4734, 998 N.E.2d 1159. On motion for reconsideration. Motion denied.

2013-0690. State v. Jones.

Butler App. No. CA2012-04-077, 2013-Ohio-654. Reported at 136 Ohio St.3d 1509, 2013-Ohio-4657, 995 N.E.2d 1212. On amended motion for reconsideration. Motion denied.

2013-0779. In re Guardianship of Lewis.

Hamilton App. No. C-120837. Reported at 136 Ohio St.3d 1509, 2013-Ohio-4657, 995 N.E.2d 1212. On motion for reconsideration. Motion denied.

2013-0863. Brown Cty. Bd. of Health v. Raichyk.

Brown App. No. CA2012-06-011, 2013-Ohio-1727. Reported at 136 Ohio St.3d 1509, 2013-Ohio-4657, 995 N.E.2d 1212. On motion for reconsideration and clarification. Motion denied.

2013-0903. Byrd v. Byrd.

Franklin App. No. 13AP-109. Reported at 136 Ohio St.3d 1509, 2013-Ohio-4657, 995 N.E.2d 1212. On motion for reconsideration. Motion denied. Appellant's motion for objection and motion for findings by the court are denied.

2013-0970. Bibee v. Gen. Revenue Corp.

Hamilton App. No. C-120577, 2013-Ohio-1753. Reported at 136 Ohio St.3d 1510, 2013-Ohio-4657, 995 N.E.2d 1213. On motion for reconsideration. Motion denied.

2013-0980. Rothwell v. Rothwell.

Pickaway App. No. 12CA6, 2013-Ohio-457. Reported at 136 Ohio St.3d 1510, 2013-Ohio-4657, 995 N.E.2d 1213. On motion for reconsideration. Motion denied.

2013-1008. Wells Fargo Bank, N.A. v. Rahman.

Franklin App. No. 13AP-376. Reported at 136 Ohio St.3d 1511, 2013-Ohio-4657, 995 N.E.2d 1213. On motion for reconsideration. Motion denied.

O'Donnell, J., not participating.

2013-1017. Raspberry v. Taylor.

Summit App. No. 26510, 2013-Ohio-2175. Reported at 136 Ohio St.3d 1511, 2013-Ohio-4657, 995 N.E.2d 1213. On motion for reconsideration. Motion denied.

2013-1030. State v. Hadley.

Marion App. No. 9-11-30, 2013-Ohio-1942. Reported at 136 Ohio St.3d 1511, 2013-Ohio-4657, 995 N.E.2d 1213. On motion for reconsideration. Motion denied.

O'Donnell, Kennedy, and O'Neill, JJ., dissent.

2013-1034. Interstate Petroleum Co. v. Young.

Trumbull App. No. 2011-T-0090, 2013-Ohio-1943. Reported at 136 Ohio St.3d 1511, 2013-Ohio-4657, 995 N.E.2d 1213. On motion for reconsideration. Motion denied.

2013-1058. Temethy v. Sliwinski.

In Mandamus. Reported at 136 Ohio St.3d 1505, 2013-Ohio-4657, 995 N.E.2d 1209. On motion for reconsideration and hearing. Motion denied.

O'Donnell, J., dissents.

2013-1095. Bowman v. Williams.

Cuyahoga App. No. 98631, 2013-Ohio-1790. Reported at 136 Ohio St.3d 1558, 2013-Ohio-4861, 996 N.E.2d 986. On motion for reconsideration. Motion denied.

2013-1097. McIntyre v. Ohio Bur. of Workers' Comp.

Franklin App. No. 12AP-1062, 2013-Ohio-2338. Reported at 136 Ohio St.3d 1512, 2013-Ohio-4657, 995 N.E.2d 1214. On motion for reconsideration. Motion denied.

2013-1098. Makris v. Unemp. Comp. Rev. Comm.

Mahoning App. No. 11 MA 105, 2013-Ohio-2317. Reported at 136 Ohio St.3d 1512, 2013-Ohio-4657, 995 N.E.2d 1214. On motion for reconsideration. Motion denied.

2013-1109. Dombkowski v. Leal.

Lucas App. No. L-12-1210, 2013-Ohio-1833. Reported at 136 Ohio St.3d 1558, 2013-Ohio-4861, 996 N.E.2d 986. On motion for reconsideration. Motion denied.

2013-1174. State v. Laber.

Lawrence App. No. 12CA24, 2013-Ohio-2681. Reported at 136 Ohio St.3d 1560, 2013-Ohio-4861, 996 N.E.2d 987. On motion for reconsideration. Motion granted. The discretionary appeal is accepted.

O'Donnell, French, and O'Neill, JJ., dissent.

2013-1306. State v. Dew.

Mahoning App. No. 12 MA 18, 2013-Ohio-2549. Reported at 136 Ohio St.3d 1560, 2013-Ohio-4861, 996 N.E.2d 987. On motion for reconsideration. Motion denied.

2013-1315. State v. Klein.

Union App. No. 14-12-09, 2013-Ohio-2387. Reported at 136 Ohio St.3d ____, 2013-Ohio-4657, 995 N.E.2d ____. On motion for reconsideration. Motion denied. Pfeifer, Kennedy, and O’Neill, JJ., dissent.

2013-1333. State ex rel. Smith v. Sadler.

In Mandamus. Reported at 136 Ohio St.3d 1507, 2013-Ohio-4657, 995 N.E.2d 1211. On motion for reconsideration. Motion denied. French, J., not participating.

2013-1465. State v. Saunders.

Fayette App. No. CA2012-03-006, 2013-Ohio-2052. Reported at 136 Ohio St.3d 1508, 2013-Ohio-4657, 995 N.E.2d 1211. On motion for reconsideration. Motion denied. Lanzinger, J., dissents.