

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

August 6, 2019

[Cite as *08/06/2019 Case Announcements, 2019-Ohio-3148.*]

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## MOTION AND PROCEDURAL RULINGS

**2019-0761. State v. Barton.**

Belmont App. No. 15 BE 0082, 2019-Ohio-580. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

**2019-0764. State v. Johnson.**

Lucas App. No. L-16-1268, 2017-Ohio-7775. On motion for leave to file delayed appeal. Motion denied.

**2019-0769. State v. Tucker.**

Butler App. No. CA2017-12-172, 2019-Ohio-911. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

**2019-0771. State v. Smith.**

Belmont App. No. 15 BE 0064, 2017-Ohio-2708. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

O'Connor, C.J., and Kennedy and DeWine, JJ., dissent.

**2019-0791. State v. Shine-Johnson.**

Franklin App. No. 17AP-194, 2018-Ohio-3347. On motion for leave to file delayed appeal. Motion denied.

Stewart, J., dissents.

**2019-0798. State v. Scofield.**

Fairfield App. No. 18-CA-06, 2019-Ohio-375. On motion for leave to file delayed appeal. Motion denied.

Fischer and Donnelly, JJ., dissent.

**2019-0803. State v. Daniels.**

Franklin App. No. 14AP-326, 2015-Ohio-2649. On motion for leave to file delayed appeal. Motion denied.

**APPEALS ACCEPTED FOR REVIEW**

**2019-0693. Athens v. McClain.**

Franklin App. Nos. 18AP-144 and 18AP-189, 2019-Ohio-277. Appeal accepted on proposition of law No. I.

Kennedy, French, and Stewart, JJ., would accept the appeal on both propositions of law.

O'Connor, C.J., and DeWine, J., dissent.

**2019-0696. Athens v. McClain.**

Franklin App. Nos. 18AP-144 and 18AP-189, 2019-Ohio-277. Appeal accepted on appellant City of Athens' proposition of law No. I.

Kennedy, French, and Donnelly, JJ., would accept the appeal on all propositions of law.

O'Connor, C.J., and DeWine, J., dissent.

**2019-0697. State v. Sibrian.**

Montgomery App. No. 27964, 2019-Ohio-1262. Appeal accepted. Sua sponte, cause held for the decision in 2018-0797, *State v. Taylor*, and briefing schedule stayed.

Kennedy and Fischer, JJ., dissent.

**APPEALS NOT ACCEPTED FOR REVIEW**

**2019-0616. State v. Fry.**

Summit App. No. 28907, 2019-Ohio-958.

**2019-0671. In re Z.M.**

Butler App. No. CA2018-04-070, 2019-Ohio-1192.

**2019-0673. State v. Mason.**

Muskingum App. No. CT2017-0083, 2018-Ohio-3329.

**2019-0682. State v. Naff.**

Miami App. No. 2018-CA-15, 2019-Ohio-1261.

Donnelly, J., dissents.

**2019-0685. State v. Farmer.**

Knox App. No. 17CA05.

**2019-0688. State v. Hill.**

Stark App. No. 2019CA00005, 2019-Ohio-1606.

**2019-0689. State v. Montgomery.**

Licking App. No. 18-CA-00115, 2019-Ohio-853.

**2019-0692. State v. Berry.**

Montgomery App. No. 28199, 2019-Ohio-1254.

**2019-0698. Stakich v. Russo.**

Cuyahoga App. No. 106779, 2019-Ohio-1237.

Donnelly, J., not participating.

**2019-0700. State v. Bronkar.**

Muskingum App. No. CT2018-0041, 2019-Ohio-1306.

DeWine and Donnelly, JJ., dissent.

**2019-0703. Estate of Tokes v. Dept. of Rehab. & Corr.**

Franklin App. No. 18AP-723, 2019-Ohio-1794.

Donnelly, J., dissents and would accept the appeal on proposition of law No. I.

**2019-0708. Cianfaglione v. Lake Natl. Bank.**

Lake App. No. 2018-L-097, 2019-Ohio-1299.

**2019-0711. State v. Green.**

Trumbull App. No. 2018-T-0063, 2019-Ohio-1303.

**2019-0714. State v. Hennacy.**

Summit App. Nos. 29115 and 29116, 2019-Ohio-1332.

**2019-0715. State v. Rabatin.**

Portage App. No. 2017-P-0036, 2019-Ohio-1295.

**2019-0716. Petruziello v. ARIS Teleradiology Professional Corp.**

Cuyahoga App. No. 107432, 2019-Ohio-1347.

Kennedy, J., dissents.

**2019-0725. State v. Taft.**

Huron App. No. H-18-003, 2019-Ohio-1565.

**2019-0727. Hack v. Keller.**

Medina App. No. 18CA0012-M, 2019-Ohio-1393.

**2019-0728. In re E.L.**

Medina App. No. 18CA0060-M, 2019-Ohio-1490.

**2019-0730. Peterson v. Johnson.**

Erie App. No. E-19-018.

**2019-0732. In re Contempt of Saghafi.**

Cuyahoga App. No. 107173, 2019-Ohio-1363.

Stewart, J., not participating.

**2019-0733. State v. Davic.**

Franklin App. No. 18AP-569, 2019-Ohio-1320.

Stewart, J., dissents.

**2019-0734. State v. Collins.**

Cuyahoga App. No. 107565, 2019-Ohio-1534.

**2019-0747. State v. Hopings.**

Lucas App. No. L-18-1038, 2019-Ohio-1486.

Fischer and Stewart, JJ., dissent.

**2019-0750. State v. Fannon.**

Hamilton App. No. C-180270, 2019-Ohio-1752.

Donnelly, J., dissents and would accept the appeal and appoint counsel.

**2019-0753. State v. Ashraf.**

Muskingum App. No. CT2018-0085, 2019-Ohio-1605.

**2019-0757. State v. Workman.**

Auglaize App. No. 2-18-11.

**2019-0775. State v. Cargle.**

Montgomery App. No. 28044, 2019-Ohio-1544.

**2019-0776. State v. Millow.**

Hamilton App. No. C-180259, 2019-Ohio-1751.

**2019-0779. State v. Garn.**

Richland App. No. 2018 CA 0071.

Donnelly, J., dissents.

**2019-0793. State v. Williamson.**

Cuyahoga App. Nos. 107117, 107162, and 107916.

**2019-0813. State v. Jones.**

Franklin App. No. 18AP-578, 2019-Ohio-1014.

**2019-0816. State v. White.**

Franklin App. No. 18AP-711.

**2019-0819. State v. Young.**

Erie App. No. E-18-035. Motion to strike denied.

O'Connor, C.J., would deny the motion to strike as moot.

Donnelly, J., dissents and would accept the appeal and appoint counsel.

**2019-0820. State v. Lewis.**

Lake App. No. 2019-L-018, 2019-Ohio-1718.

**2019-0830. State v. Hamilton.**

Lorain App. No. 17CA011238, 2019-Ohio-1829.

**2019-0852. State v. Lewis.**

Cuyahoga App. No. 107552, 2019-Ohio-1994.

## RECONSIDERATION OF PRIOR DECISIONS

### **2017-1463. State v. Martin.**

Trumbull App. Nos. 2016-T-0103 and 2016-T-0104, 2017-Ohio-7453. Reported at \_\_ Ohio St.3d \_\_, 2019-Ohio-2010, \_\_ N.E.3d \_\_. On motion for reconsideration. Motion denied.

### **2018-1857. State ex rel. C.V. v. Adoption Link, Inc.**

In Prohibition and Habeas Corpus. Reported at \_\_ Ohio St.3d \_\_, 2019-Ohio-2118, \_\_ N.E.3d \_\_. On motion for reconsideration. Motion denied.  
Kennedy, J., dissents.

### **2019-0352. GPI Distribs., Inc. v. Northeast Ohio Regional Sewer Dist.**

Cuyahoga App. No. 106806, 2018-Ohio-4871. Reported at 155 Ohio St.3d 1468, 2019-Ohio-2100, 122 N.E.3d 1291. On motion for reconsideration. Motion denied.

### **2019-0389. Strickler v. First Ohio Bank & Lending, Inc.**

Lorain App. No. 17CA011117, 2018-Ohio-3835. Reported at 155 Ohio St.3d 1469, 2019-Ohio-2100, 122 N.E.3d 1294. On motion for reconsideration. Motion denied.  
Kennedy and DeWine, JJ., dissent.

### **2019-0413. In re Guardianship of Bernie.**

Butler App. No. CA2018-01-005, 2019-Ohio-334. Reported at 155 Ohio St.3d 1469, 2019-Ohio-2100, 122 N.E.3d 1294. On motion for reconsideration and/or remand. Motion denied.