

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

July 9, 2024

[Cite as *07/09/2024 Case Announcements, 2024-Ohio-2576.*]

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## MERIT DECISIONS WITHOUT OPINIONS

**2024-0707. State ex rel. Flores v. Spatny.**

In Habeas Corpus. Sua sponte, cause dismissed. Petitioner's motion for leave to proceed in forma pauperis denied as moot.

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

**2024-0727. Furman v. Mackey.**

In Habeas Corpus. Sua sponte, cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

**2024-0763. McComas v. Pratt.**

In Habeas Corpus. Sua sponte, cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Donnelly, Stewart, Brunner, and Deters, JJ., concur.

## MOTION AND PROCEDURAL RULINGS

**2024-0648. State v. Boyd.**

Cuyahoga App. No. 112875, [2024-Ohio-1059](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

**2024-0649. State v. Wilson.**

Lawrence App. No. 23CA32. On motion for leave to file delayed appeal. Motion denied.

Donnelly, J., dissents.

**2024-0700. State v. Speaks.**

Butler App. No. CA2022-11-104, [2024-Ohio-15](#). On motion for leave to file delayed appeal. Motion denied.

Donnelly, J., dissents.

**2024-0701. State v. Jenkins.**

Licking App. No. 2023 CA 00058, [2024-Ohio-1094](#). On motion for leave to file delayed appeal. Motion denied.

Donnelly, J., dissents.

**2024-0711. State v. Grover.**

Ashtabula App. No. 2022-A-0092, [2024-Ohio-505](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

DeWine and Deters, JJ., dissent.

**2024-0713. State v. McLoyd.**

Cuyahoga App. No. 112092, [2023-Ohio-4306](#). On motion for leave to file delayed appeal. Motion denied.

Donnelly, J., dissents.

**APPEALS ACCEPTED FOR REVIEW**

**2024-0540. State v. Musarra.**

Cuyahoga App. No. 113487. Sua sponte, cause consolidated with 2024-0541, *State v. Musarra*, and briefing in case Nos. 2024-0540 and 2024-0541 consolidated.

Donnelly, Stewart, and Brunner, JJ., dissent.

**2024-0541. State v. Musarra.**

Cuyahoga App. No. 113486. Sua sponte, cause consolidated with 2024-0540, *State v. Musarra*, and briefing in case Nos. 2024-0540 and 2024-0541 consolidated.

Donnelly, Stewart, and Brunner, JJ., dissent.

**2024-0587. E.A.K.M. v. M.A.M.**

Cuyahoga App. No. 112833, [2024-Ohio-967](#).

Fischer, DeWine, and Deters, JJ., dissent.

**2024-0598. State v. Jones.**

Ashtabula App. No. 2022-A-0022, [2024-Ohio-1010](#). Sua sponte, cause held for the decision in 2023-0654, *State v. Glover*.

Kennedy, C.J., and DeWine and Deters, JJ., dissent.

**2024-0657. State v. Kennedy.**

Mahoning App. No. 23 MA 0050, [2024-Ohio-1170](#).

Kennedy, C.J., and DeWine and Deters, JJ., dissent.

**APPEALS NOT ACCEPTED FOR REVIEW**

**2023-1146. State v. Hundley.**

Mahoning App. No. 22 MA 0045, [2023-Ohio-2571](#).

Donnelly, J., dissents.

**2024-0237. State v. Cultrona.**

Tuscarawas App. No. 2023 AP 01 0006, [2023-Ohio-3707](#).

**2024-0349. State v. Hall.**

Cuyahoga App. No. 112626, [2023-Ohio-4539](#).

**2024-0542. Olentangy Preparatory Academy v. Howland Twp. Local School Dist.**

Trumbull App. No. 2023-T-0075, [2024-Ohio-783](#).

**2024-0547. State v. McCree.**

Muskingum App. No. CT2023-0035, [2024-Ohio-777](#).

**2024-0548. Lazor v. Souders.**

Warren App. No. CA2023-10-080, [2024-Ohio-774](#).

**2024-0552. State v. Morris.**

Hardin App. No. 6-23-04, [2023-Ohio-4021](#).

**2024-0553. State v. Anderson.**

Cuyahoga App. No. 112514, [2024-Ohio-843](#).

**2024-0558. State v. Hathorn.**

Hancock App. No. 5-22-17, [2023-Ohio-3936](#).

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

**2024-0566. State v. Lucien.**

Portage App. No. 2023-P-0076, [2024-Ohio-1113](#).

**2024-0571. State v. Jones.**

Trumbull App. No. 2023-T-0047, [2024-Ohio-898](#).

**2024-0572. State v. Baker.**

Muskingum App. No. CT2023-0019, [2024-Ohio-906](#).

**2024-0576. State v. Porter.**

Belmont App. No. 22 BE 0008, [2024-Ohio-903](#).

**2024-0578. State v. Jordan.**

Cuyahoga App. No. 112506, [2024-Ohio-972](#).

**2024-0581. Zinsmeister v. Gillen-Zinsmeister.**

Franklin App. No. 22AP-714, [2024-Ohio-938](#).

Kennedy, C.J., dissents.

**2024-0582. State v. Hill-Bryant.**

Cuyahoga App. No. 112917, [2024-Ohio-962](#).

**2024-0583. Youngstown Professional Firefighters v. Youngstown.**

Mahoning App. No. 23 MA 0082, [2024-Ohio-940](#).

Kennedy, C.J., and Brunner, J., dissent.

**2024-0588. Weinberg v. Merriman Legando Williams & Klang, L.L.C.**

Cuyahoga App. Nos. 112594 and 112595.

Kennedy, C.J., dissents.

**2024-0589. State v. Allen.**

Cuyahoga App. No. 112782, [2024-Ohio-970](#).

Donnelly, J., dissents.

Stewart, J., dissents and would accept the appeal on proposition of law Nos. I, II, and IV.

**2024-0591. Chad M. Leonard Holdings, Inc. v. Rohaley.**

Lake App. Nos. 2022-L-118, 2022-L-119, 2022-L-120, and 2022-L-121, [2023-Ohio-4096](#).

**2024-0592. State v. Woods.**

Cuyahoga App. No. 112987, [2024-Ohio-1053](#).

**2024-0597. State v. Jackson.**

Cuyahoga App. No. 112949, [2024-Ohio-958](#).

**2024-0603. State v. Davis.**

Delaware App. No. 23 CAA 10 0091, [2024-Ohio-1504](#). Appellant's motion to appoint counsel for appeal denied as moot.

Kennedy, C.J., and Donnelly, J., would deny the motion on the merits.

**2024-0605. Hawken School v. Machado.**

Cuyahoga App. No. 112837, [2024-Ohio-1060](#).

**2024-0607. State v. HERN.**

Mahoning App. No. 23 MA 0055, [2024-Ohio-2023](#).

Donnelly, J., dissents.

**2024-0610. Cunningham v. Brown.**

Mahoning App. No. 23 MA 0062, [2024-Ohio-1100](#).

Kennedy, C.J., dissents.

**2024-0612. In re C.K.**

Knox App. No. 23CA000013, [2024-Ohio-1427](#).

**2024-0626. State v. Foster.**

Summit App. No. 30443, [2023-Ohio-2466](#).

Donnelly, J., dissents and would accept the appeal on proposition of law No. III and appoint counsel.

**2024-0630. State v. Lucas.**

Summit App. No. 29077, [2019-Ohio-2607](#).

Donnelly, J., dissents and would appoint counsel.

**2024-0633. Nuckols v. Consol. Rail Corp.**

Lucas App. No. L-23-1174, [2024-Ohio-1070](#).

**2024-0641. Bettman v. JDH Bldg. Group, L.L.C.**

Warren App. No. CA2023-11-096, [2024-Ohio-1092](#).

Kennedy, C.J., dissents.

**2024-0647. Crenshaw v. Mooningham.**

Cuyahoga App. No. 112835, [2024-Ohio-1470](#).

**2024-0655. In re A.V.**

Warren App. No. CA2023-08-067, [2024-Ohio-1091](#).

**2024-0683. Bukovec v. Keger.**

Cuyahoga App. No. 113024, [2024-Ohio-1162](#).

**2024-0693. State v. Gregory.**

Lucas App. Nos. L-21-1106 and L-21-1107, [2023-Ohio-331](#).

**2024-0716. State v. Maxey.**

Cuyahoga App. No. 112981, [2024-Ohio-1279](#).

**2024-0719. State v. Smith.**

Summit App. No. 30022, [2023-Ohio-3135](#).

## RECONSIDERATION OF PRIOR DECISIONS

**2023-0809. Caldwell v. Whirlpool Corp.**

Marion App. No. 9-22-61, [2023-Ohio-1530](#). Reported at [2024-Ohio-1625](#). On motion for reconsideration. Motion denied.

Michael C. Mentel, J., of the Tenth District Court of Appeals, sitting for Stewart, J.

**2023-1340. State ex rel. Woods v. Heekin.**

Hamilton App. No. C-220434. Reported at [2024-Ohio-1719](#). On motion for reconsideration. Motion denied.

Fischer and Deters, JJ., not participating.

**2023-1579. State ex rel. Woods v. Jenkins.**

Hamilton App. No. C-220479. Reported at [2024-Ohio-1753](#). On motion for reconsideration. Motion denied.

Fischer and Deters, JJ., not participating.

**2024-0206. State v. Hicks-Stevens.**

Cuyahoga App. No. 112329, [2023-Ohio-4307](#). Reported at [2024-Ohio-1751](#). On motion for reconsideration. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 20 days. The case shall proceed in accordance with the Rules of Practice of the Supreme Court of Ohio.

Kennedy, C.J., and DeWine and Deters, JJ., dissent.

**2024-0215. Suhay v. Hall.**

Ashtabula App. No. 2022-A-0062, [2023-Ohio-4869](#). Reported at [2024-Ohio-1577](#). On motion for reconsideration. Motion denied.

**2024-0227. Hunter v. Crumrine.**

Ashland App. No. 23-COA-010, [2023-Ohio-4784](#). Reported at [2024-Ohio-1577](#). On motion for reconsideration. Motion denied.

**2024-0239. State v. Homrighausen.**

Tuscarawas App. No. 2023AP020008, [2024-Ohio-6](#). Reported at [2024-Ohio-1577](#). On motion for reconsideration. Motion denied.

Brunner, J., dissents.

**2024-0263. State v. Simes.**

Montgomery App. No. 29982. Reported at [2024-Ohio-1577](#). On motion for reconsideration. Motion denied.

**2024-0292. State ex rel. Gregory v. Lucas Cty. Common Pleas Clerk of Courts.**

In Mandamus. Reported at [2024-Ohio-1720](#). On motion for reconsideration. Motion denied.