

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

July 23, 2024

[Cite as *07/23/2024 Case Announcements, 2024-Ohio-2718.*]

MERIT DECISIONS WITHOUT OPINIONS

2024-0778. Jones v. Shanahan.

In Habeas Corpus. Sua sponte, cause dismissed.

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

Fischer and Donnelly, JJ., not participating.

2024-0844. Hereford 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

1998-1483. State v. Jones.

Ashtabula C.P. No. 97CR221. On pro se second revised third application for reopening. Application denied. Appellee's motion to dismiss granted.

Fischer, J., dissents in part and would deny the motion to dismiss.

2024-0761. State v. Thomas.

Noble App. No. 23 NO 0508, [2023-Ohio-4750](#). 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.

2024-0771. State v. French.

Hamilton App. No. C-230275, [2024-Ohio-1256](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

2024-0855. State v. Workman.

Franklin App. No. 21AP-607, [2024-Ohio-167](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

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

APPEALS ACCEPTED FOR REVIEW

2024-0563. Columbus City School Dist. v. State.

Franklin App. No. 24AP-60, [2024-Ohio-1217](#).

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

Jill Flagg Lanzinger, J., of the Ninth District Court of Appeals, sitting for Deters, J.

2024-0669. State v. Balmert.

Lorain App. No. 22CA011908, [2024-Ohio-1207](#).

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

APPEALS NOT ACCEPTED FOR REVIEW

2024-0324. State v. Asadi-Ousley.

Cuyahoga App. No. 112734, [2023-Ohio-4322](#).

Donnelly, J., not participating.

2024-0500. S.E. v. Edelstein.

Warren App. No. CA2023-08-064, [2024-Ohio-1090](#).

Fischer and Stewart, JJ., dissent.

2024-0604. State v. Whittle.

Hamilton App. Nos. C-230288 and C-230318, [2024-Ohio-1023](#).

2024-0606. State v. Kyles.

Butler App. No. CA2023-07-083, [2024-Ohio-998](#).

2024-0614. State v. Washington.

Cuyahoga App. No. 112914, [2024-Ohio-1056](#).

2024-0615. State v. Blair.

Cuyahoga App. No. 112388, [2024-Ohio-1061](#).

Stewart, J., dissents.

2024-0631. State v. Gipp.

Montgomery App. No. 29983, [2024-Ohio-1076](#).

2024-0632. State v. Williams.

Hamilton App. No. C-230514.

2024-0634. Dumais v. Cincinnati Children's Hosp. Med. Ctr.

Hamilton App. Nos. C-230190 and C-230191, [2024-Ohio-1022](#).

Fischer and Deters, JJ., not participating.

2024-0635. Deutsche Bank Natl. Trust Co. v. Talliere.

Cuyahoga App. No. 113002, [2024-Ohio-829](#).

Brunner, J., not participating.

2024-0636. State v. Grange Indemn. Ins. Co.

Mahoning App. No. 2023 MA 0027.

2024-0639. State v. Nixon.

Portage App. No. 2023-P-0001, [2023-Ohio-4871](#).

2024-0643. SoFi Lending Corp. v. Williams.

Cuyahoga App. No. 113153, [2024-Ohio-1166](#).

2024-0644. State v. Boulware.

Clark App. No. 2023-CA-32, [2024-Ohio-1388](#).

2024-0645. Littler v. Janis.

Franklin App. No. 23AP-360, [2024-Ohio-1145](#).

2024-0651. State v. Jones.

Trumbull App. Nos. 2023-T-0054 and 2023-T-0055.

2024-0653. Licitri v. DiBaggio.

Summit App. No. 30887, [2024-Ohio-1154](#).

Stewart, J., not participating.

2024-0654. Universal Steel Bldgs. Corp. v. Dues.

Mercer App. No. 10-22-07, [2024-Ohio-698](#).

2024-0656. State v. Johnson.

Hamilton App. No. C-230221, [2024-Ohio-1147](#).

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

Fischer, J., not participating.

2024-0659. State v. K.A.C.

Franklin App. No. 23AP-86, [2024-Ohio-1139](#).

2024-0660. Berning v. Lutheran Hous. Serv. No. 9.

Lucas App. No. L-22-1281, [2024-Ohio-1173](#).

Donnelly and Brunner, JJ., dissent.

2024-0661. Bahorek v. Franklin Cty. Bd. of Revision.

Franklin App. No. 24AP-54.

Fischer, J., dissents and would accept the appeal on proposition of law No. II.

2024-0662. Bahorek v. Franklin Cty. Bd. of Revision.

Franklin App. No. 24AP-48.

Fischer, J., dissents and would accept the appeal on proposition of law No. II.

2024-0663. Anderson v. Cincinnati Children's Hosp. Med. Ctr.

Hamilton App. Nos. C-230180 and C-230181.

Fischer and Deters, JJ., not participating.

2024-0664. Capetillo v. Cincinnati Children's Hosp. Med. Ctr.

Hamilton App. Nos. C-230184 and C-230185.

Fischer and Deters, JJ., not participating.

2024-0665. Freeman v. Ohio Elections Comm.

Franklin App. No. 23AP-14, [2024-Ohio-1223](#).

Brunner, J., dissents.

2024-0666. Dradt v. Cincinnati Children’s Hosp. Med. Ctr.

Hamilton App. Nos. C-230188 and C-230189.

Fischer and Deters, JJ., not participating.

2024-0667. State v. Cunningham.

Portage App. No. 2023-P-0058, [2024-Ohio-1215](#).

Stewart, J., dissents.

2024-0672. Elkins v. Cincinnati Children’s Hosp. Med. Ctr.

Hamilton App. Nos. C-230192 and C-230193.

Fischer and Deters, JJ., not participating.

2024-0673. Fitzpatrick v. Cincinnati Children’s Hosp. Med. Ctr.

Hamilton App. Nos. C-230194 and C-230195.

Fischer and Deters, JJ., not participating.

2024-0674. Bratten v. Cincinnati Children’s Hosp. Med. Ctr.

Hamilton App. Nos. C-230182 and C-230183.

Fischer and Deters, JJ., not participating.

2024-0676. Frye v. Am. Honda Motor Co., Inc.

Franklin App. No. 23AP-490, [2024-Ohio-1554](#).

2024-0678. Jodka v. Toledo.

Lucas App. No. L-23-1108, [2023-Ohio-4796](#).

2024-0680. State v. McDowell.

Wood App. No. WD-23-026, [2024-Ohio-1209](#). Appellant’s motion for appointment of counsel denied.

Kennedy, C.J., and Stewart, J., would deny the motion as moot.

2024-0681. In re Guardianship of Bakhtiar.

Lorain App. No. 23CA011985, [2024-Ohio-1208](#).

Stewart, J., not participating.

2024-0682. State v. Fenderson.

Erie App. No. E-23-041, [2024-Ohio-1176](#).

2024-0684. Finney v. Akron City School Dist. Bd. of Edn.
Summit App. No. 30493, [2024-Ohio-1203](#).

2024-0685. State v. Sferra.
Lake App. Nos. 2024-L-010 through Lake App. No. 2024-L-015, [2024-Ohio-1212](#).

2024-0687. State v. Hammonds.
Hamilton App. Nos. C-220315, C-220344, and C-230262, [2024-Ohio-1259](#).
DeWine, J., dissents.
Fischer and Deters, JJ., not participating.

2024-0691. State v. Hall.
Warren App. No. CA2023-06-047, [2024-Ohio-1235](#).
Donnelly, J., dissents.

2024-0704. Glass v. Delaware Cty. Sheriff's Office.
Delaware App. No. 23 CAE 12 0106, [2024-Ohio-1301](#).

2024-0720. State v. Stinson.
Montgomery App. No. 29925, [2024-Ohio-1298](#).

2024-0729. State v. Folley.
Montgomery App. No. 30061.

2024-0743. Hinkle v. Mingo.
Franklin App. No. 23AP-660, [2024-Ohio-1665](#).

2024-0745. State v. Thompson.
Franklin App. No. 14AP-488.

2024-0755. State v. Kennedy.
Cuyahoga App. No. 112879, [2024-Ohio-1586](#).

2024-0781. State v. James.
Cuyahoga App. No. 112741, [2024-Ohio-1469](#).
Donnelly, J., not participating.

2024-0782. State v. Coleman.
Summit App. No. 30939.

2024-0792. State v. Blackburn.

Lorain App. No. 23CA012000, [2024-Ohio-1524](#).

Donnelly, J., dissents.

2024-0805. Foster v. Ohio Dept. of Youth Servs.

Stark App. No. 2024CA00034.

2024-0840. State v. Heiney.

Lucas App. No. L-23-1156, [2024-Ohio-490](#).

Donnelly, J., dissents.

2024-0861. State v. Scott.

Cuyahoga App. No. 112325, [2024-Ohio-975](#).

RECONSIDERATION OF PRIOR DECISIONS

2023-0411. Tera, L.L.C. v. Rice Drilling D, L.L.C.

Belmont App. No. 21 BE 0047, [2023-Ohio-273](#). Reported at [2024-Ohio-1945](#). On motion for reconsideration. Motion denied.

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

John J. Eklund, J., of the Eleventh District Court of Appeals, sitting for Brunner, J.

2023-0791. State ex rel. Mitchell v. May.

Marion App. No. 9-23-06. Reported at [2024-Ohio-1861](#). On motion for reconsideration. Motion denied.

2023-0834. State ex rel. Mobley v. LaRose.

In Mandamus. Reported at [2024-Ohio-1909](#). On motion for reconsideration. Motion denied.

2023-1578. State ex rel. Adkins v. Myers.

In Mandamus. Reported at [2024-Ohio-1814](#). On motion for reconsideration. Motion denied. Relator's motion pursuant to Ohio Const. art. IV, § 2(B)(f) and S.Ct.Prac.R. 3.11(E)(1) and 4.03(A) and (B) denied.

2024-0290. State v. Lewis.

Cuyahoga App. No. 112608, [2023-Ohio-4651](#). Reported at [2024-Ohio-1922](#). On motion for reconsideration. Motion denied.

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

2024-0305. Lower v. Lower.

Fairfield App. No. 2023 CA 00021, [2024-Ohio-113](#). Reported at [2024-Ohio-1832](#). On motion for reconsideration. Motion denied.

2024-0334. In re Jones.

Richland App. No. 2023 CA 0028, [2024-Ohio-408](#). Reported at [2024-Ohio-1922](#). On motion for reconsideration. Motion denied.

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

2024-0505. State v. Britford.

Franklin App. Nos. 23AP-363, 23AP-364, and 23AP-365. Reported at [2024-Ohio-1974](#). On motion for reconsideration. Motion denied.

DISCIPLINARY CASES

2024-0847. Lorain Cty. Bar Assn. v. Smith.

On Certified Report by the Board of Professional Conduct, No. 2024-004. Stourton Scott Smith, Attorney Registration No. 0064519, last known business address in Elyria, Ohio, publicly reprimanded.

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

Brunner, J., not participating.

2024-0850. Disciplinary Counsel v. Burkett.

On Certified Report by the Board of Professional Conduct, No. 2023-046. Eric Jordan Burkett, Attorney Registration No. 0099612, last known business address in Palmer, Alaska, suspended from the practice of law for two years, fully stayed on conditions.

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

Brunner, J., not participating.