

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

September 18, 2024

[Cite as *09/18/2024 Case Announcements, 2024-Ohio-4534.*]

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### MERIT DECISIONS WITHOUT OPINIONS

**2024-0330. Bonds v. Lape.**

In Mandamus. On relator's motion for leave to amend complaint. Motion granted. Respondents' motion to dismiss amended complaint granted. Cause dismissed.

DeWine, Donnelly, and Stewart, JJ., concur.

Brunner, J., concurs but would sua sponte dismiss the cause.

Kennedy, C.J., concurs in part and dissents in part and would deny respondents' motion to dismiss the amended complaint in part and grant an alternative writ as to the second category of records.

Fischer, J., concurs in part and dissents in part and would deny relator's motion for leave as moot.

Deters, J., concurs in part and dissents in part and would deny relator's motion for leave.

**2024-0593. State ex rel. McGee v. Blankenship.**

In Mandamus. On respondents' motion to dismiss. Motion denied. Respondents' motion erroneously cites relator's failure to comply with the requirements of R.C. 2969.25 as a ground to dismiss, but as we have repeatedly stated, the requirements of R.C. 2969.25 do not apply to original actions filed in the Supreme Court. *E.g., State ex rel. McDougald v. Greene*, 2018-Ohio 4200, ¶ 8. Sua sponte, cause dismissed for failure to state a claim. Relator's motion for default judgment denied.

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

Fischer, J., dissents in part and would grant respondents' motion to dismiss.

**2024-0650. State ex rel. Lundeen v. Synenberg.**

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

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

**2024-0770. Moore v. Davis.**

In Mandamus and Prohibition. On relator's amended complaint. Cause dismissed pursuant to S.Ct.Prac.R. 12.04.

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

**2024-0904. Hopkins v. Hamilton Cty. Dev. Disabilities Servs.**

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

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

**2024-0923. Bigsby v. Dept. of Rehab. & Corr.**

In Procedendo. On respondent's motion to dismiss. Motion granted. Relator's request for indigent status, motion for judicial notice, and request for attorney appointment denied. Cause dismissed.

DeWine, Stewart, and Deters, JJ., concur.

Donnelly, J., concurs but would deny relator's requests and motion as moot.

Brunner, J., concurs but would deny relator's request for indigent status as moot.

Kennedy, C.J., and Fischer, J., dissent in part and would grant relator's request for indigent status.

**2024-0970. State ex rel. Pinckney v. Hensal.**

Miscellaneous case. On respondents' motion to dismiss. Motion granted. Cause dismissed.

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

**2024-0971. Coleman v. State.**

In Mandamus. On respondents' motions to dismiss. Motions denied as moot. Cause dismissed pursuant to S.Ct.Prac.R. 12.04.

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

Fischer and Stewart, JJ., would grant respondents' motions to dismiss.

**2024-0987. Onunwor v. State.**

In Mandamus. On respondent's motion to dismiss. Motion granted. Cause dismissed.

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

**2024-1018. Wenmoth v. State.**

In Mandamus. On respondents' motions to dismiss. Motions granted. Relator's "motion for appointment of counsel; for victim advocate; protection from the accused attempted murder, kidnapper, and more; to quash or stay proceedings before Judge Stroud pending her arrest; for accommodation pursuant to American Disabilities Act" denied. Cause dismissed.

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

**2024-1019. Wenmoth v. Columbus Div. of Police.**

In Mandamus. On respondents' motions to dismiss. Motions granted. Cause dismissed. Relator's "motion for appointment of counsel; for victim advocate; protection from the accused attempted murder, kidnapper, and more; to quash or stay proceedings before Judge Stroud pending her arrest; for accommodation pursuant to American Disabilities Act," motion to consolidate related cases, motion to compel discovery, and motion for contempt denied.

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

**2024-1025. Matthews v. Parikh.**

In Mandamus. On respondent's motion to dismiss. Motion granted. Cause dismissed.

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

## **MOTION AND PROCEDURAL RULINGS**

**2022-1070. State ex rel. Clark v. Dept. of Rehab. & Corr.**

In Mandamus. On affidavit of Ellen Myers in response to show-cause order and notice of compliance. On review of the response to the court's show-cause order and notice of compliance, respondent is not held in contempt.

**2023-0387. State ex rel. Clark v. Dept. of Rehab. & Corr.**

In Mandamus. On respondent's response to show-cause order. Relator's motion to hold respondent in contempt of court denied.

**2023-1300. State ex rel. Mauk v. Sheldon.**

In Mandamus. On respondents Richland County Sheriff's Office and Steve Sheldon's motion to dismiss amended complaint. Motion denied. Respondents Richland County Sheriff's Office and Steve Sheldon's motion to stay discovery denied as moot. Respondents Andy Wilson and Ohio Department of Public Safety's motion to set the case for evidence and briefing denied as moot. Sua sponte, respondents ordered to file an answer to the complaint within 14 days. Sua sponte, alternative writ granted. The following schedule is set for the presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 12.05: The parties shall file any evidence they intend to present within 20 days of the court's entry, relator shall file a brief within 30 days of the court's entry, respondents shall file a brief within 20 days after the filing of relator's brief, and relator may file a reply brief within 7 days after the filing of respondents' brief.

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

In Mandamus. On relator's motion to strike signed documents as sham and false, to determine actions were for an improper purpose and impose sanctions, and to find party and attorney vexatious. Motion denied.

**2024-0029. In re Complaint of Ohio Power Co. v. Nationwide Energy Partners, L.L.C.**

Public Utilities Commission, No. 21-990-EL-CSS. On intervening appellee's motion to dismiss. Motion granted on the authority of *Southside Community Dev. Corp. v. Levin*, [2007-Ohio-6665](#). Appellee's motion to dismiss denied as moot. Cause dismissed.

Fischer, J., dissents in part and would grant appellee's motion to dismiss.

Deters, J., not participating.

**2024-0565. State ex rel. Howard v. Willoughby Hills Police Dept.**

In Mandamus. On respondent's motion to continue briefing deadlines. Motion granted. Relator shall file a brief within 30 days, respondent shall file a brief within 20 days after the filing of relator's brief, and relator may file a reply brief within 7 days after the filing of respondent's brief.

**2024-0984. State ex rel. Moore v. Schaefer.**

In Mandamus. Sua sponte, alternative writ granted. The following schedule is set for the presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 12.05: The parties shall file any evidence they intend to present within 20 days of the court's entry, relator shall file a brief within 30 days of the court's entry, respondent shall file a brief within 20 days after the filing of relator's brief, and relator may file a reply brief within 7 days after the filing of respondent's brief.

Fischer, J., dissents and would sua sponte dismiss the cause.

**2024-1012. Mack v. Ohio State Hwy. Patrol Cent. Records.**

In Mandamus. Sua sponte, alternative writ granted. The following schedule is set for the presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 12.05: The parties shall file any evidence they intend to present within 20 days of the court's entry, relator shall file a brief within 30 days of the court's entry, respondent shall file a brief within 20 days after the filing of relator's brief, and relator may file a reply brief within 7 days after the filing of respondent's brief.

Deters, J., dissents and would sua sponte dismiss the cause.

**2024-1052. Dottore v. Boros.**

Cuyahoga App. No. 114176. On appellant's motion to amend case caption. Motion denied. Proposed intervening appellee's motions to intervene denied. Appellant's motion to supplement the record denied. Proposed intervening appellee's request for leave to file brief in opposition to emergency stay of underlying proceedings instant denied as moot.

Donnelly, J., not participating.

**2024-1111. In re Estate of House.**

Wayne App. No. 22AP0009, [2023-Ohio-4348](#). On appellant's motion for immediate stay. Motion denied.

**2024-1176. Gingrich v. Otter Fork Equestrian Complex, L.L.C.**

Licking App. No. 23 CA 00086, [2024-Ohio-2775](#). On appellant's motion for stay. Motion denied.

**2024-1187. State v. Simmons.**

Montgomery App. No. 29941, [2024-Ohio-3036](#). On appellant's motion for stay. Motion denied.