

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

November 27, 2024

[Cite as *11/27/2024 Case Announcements*, 2024-Ohio-5572.]

MERIT DECISIONS WITH OPINIONS

2023-0372. Kennedy v. W. Res. Senior Care, Slip Opinion No. 2024-Ohio-5565.

Portage App. No. 2021-P-0055, [2023-Ohio-264](#). Judgment reversed and cause remanded to the trial court.

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

Kennedy, C.J., concurs in judgment only.

Donnelly, J., dissents and would dismiss the appeal as having been improvidently accepted.

2023-1512. Disciplinary Counsel v. Port, Slip Opinion No. 2024-Ohio-5566.

On Certified Report by the Board of Professional Conduct, No. 2023-034. Gregory Darwin Port, Attorney Registration No. 0043838, last known business address in Columbus, Ohio, permanently disbarred from the practice of law and ordered to make restitution in the amount of \$4,857.88 to the Sink estate and \$9,400 to Esther Imhoff within 90 days.

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

Brunner, J., not participating.

2024-0333. State ex rel. Diewald v. Bur. of Sentence Computation, Slip Opinion No. 2024-Ohio-5567.

Franklin App. No. 23AP-89. Appeal dismissed.

Fischer, Donnelly, Stewart, JJ., concur.

Brunner, J., concurs and would find that it is appropriate for this court “to

look to the Revised Code for guidance as to the timing of when we exercise our jurisdiction,” *State ex rel. Ctr. for Media & Democracy v. Yost*, [2024-Ohio-2786](#), ¶ 17.

Kennedy, C.J., concurs in judgment only.

DeWine, J., concurs in judgment only, with an opinion joined by Deters, J.

[2024-1099](#). *Columbus Bar Assn. v. Ryan*, Slip Opinion No. [2024-Ohio-5570](#).

On Certified Report by the Board of Professional Conduct, No. 2023-039. Corinne Noelle Ryan, Attorney Registration No. 0066393, last known business address in Gahanna, Ohio, suspended from the practice of law for one year, fully stayed on conditions.

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

Brunner, J., not participating.

[2024-1109](#). *Disciplinary Counsel v. Brown-O’Neal*, Slip Opinion No. [2024-Ohio-5571](#).

On Certified Report by the Board of Professional Conduct, No. 2024-001. Tyresha Monique Brown-O’Neal, Attorney Registration No. 0084636, last known business address in Cleveland, Ohio, suspended from the practice of law for one year, with six months conditionally stayed.

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

Kennedy, C.J., and Fischer, J., concur in part and dissent in part and would not stay the suspension.

Brunner, J., not participating.

MERIT DECISIONS WITHOUT OPINIONS

[2024-0317](#). *Bibb v. Democratic Natl. Commt.*

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.

[2024-0860](#). *State ex rel. Coleman v. Brewer*.

In Procedendo, Prohibition, and Mandamus. On respondent’s motion to dismiss. Motion granted. Relators’ motion to expedite denied. Cause dismissed.

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

2024-0864. State ex rel. Braman v. McKenney.

In Mandamus. On respondents' motions to dismiss. Motions granted. Cause dismissed.

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

2024-1007. State ex rel. Robinson v. Meisenbach.

In Mandamus. On relator's motion for default by judgment. Motion denied. State of Ohio's motion to dismiss granted. Relator's motion to strike respondent's motion to dismiss denied. Relator's motion to proceed to judgment denied. Cause dismissed.

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

Brunner, J., concurs in part and dissents in part and would deny the motion to dismiss and deny the other motions as moot.

2024-1033. State ex rel. Ames v. Ondrey.

In Prohibition. On respondent's amended motion to dismiss. Motion granted. Geauga County Board of Developmental Disabilities' motion to intervene denied as moot. Geauga County Board of Developmental Disabilities' motion to strike response to the motion to intervene denied. Relator's motion to strike documents filed by respondent on August 26, 2024, denied. Cause dismissed.

Donnelly and Stewart, JJ., concur.

DeWine, J., concurs but would deny the motion to intervene on the merits.

Brunner, J., concurs but would deny as moot the motion to strike the response to the motion to intervene.

Kennedy, C.J., and Fischer and Deters, JJ., concur in part and dissent in part and would grant the motion to intervene.

2024-1066. Blair v. Parikh.

In Mandamus. Cause dismissed pursuant to S.Ct.Prac.R. 12.04.

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

2024-1130. State ex rel. Ames v. Ondrey.

In Procedendo. On respondent's amended motion to dismiss. Motion granted. Relator's motion to strike documents filed by respondent on September 3, 2024, denied as moot. Cause dismissed.

Donnelly, Stewart, Brunner, and Deters, JJ., concur.

Kennedy, C.J., and Fischer and DeWine, JJ., concur but would deny relator's motion on the merits.

2024-1229. State v. Walters.

In Mandamus, Procedendo, and Habeas Corpus. On motion to dismiss of respondents Portage County Court of Common Pleas Judge Laurie J. Pittman, Connie Lewandowski, Theresa M. Scahill, Ray Srp, Portage County Prosecuting Attorney Victor Viglucci, Bruce Zuchowski, Bryan Morgenstern, and Sergeant Sonny Jones. Motion granted. Sua sponte, cause dismissed as to respondent Strelbel. Cause dismissed.

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

2024-1238. State ex rel. Jennewine v. Puffenberger.

In Mandamus, Procedendo, and Quo Warranto. On respondents' motions to dismiss. Motions granted as to writs of procedendo and quo warranto and cause dismissed as to respondent Jill Johnson. Motions denied as to writ of mandamus. Sua sponte, respondent Lucas County Court of Common Pleas Judge Jack Puffenberger 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, respondent Judge Puffenberger 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 Judge Puffenberger's brief.

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

2024-1282. State ex rel. Clifford v. Miller.

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

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

2024-1300. State ex rel. Greenlee v. Wagner.

In Prohibition. On respondents' motions to dismiss. Motions granted. Relators' motion for immediate relief and motion to strike respondents' responses in opposition to the motion for immediate relief denied.

DeWine, Donnelly, Brunner, and Deters, JJ., concur.

Kennedy, C.J., concurs but would deny the motion to strike as moot.

Fischer and Stewart, JJ., concur in part and dissent in part and would grant relators' motion.

2024-1303. Speck v. Morrow Cty. Common Pleas Court, Probate Div.

Miscellaneous case. On respondent's amended motion to dismiss. Motion granted. Relator's request for de novo judicial review denied as moot. Cause dismissed.

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

Donnelly, J., concurs but would deny relator's request on the merits.

Fischer, J., concurs in part and dissents in part and would deny respondent's amended motion, grant the writ, and deny relator's request on the merits.

2024-1305. Jones v. Hart.

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

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

2024-1306. State ex rel. Powers v. Jenkins.

In Mandamus and Prohibition. On relator's motion for immediate stay of proceedings pending petition for writs and expedited alternative writ. Motion denied. Jeffrey Wogenstahl's motion to intervene denied. Jeffrey Wogenstahl's motion to dismiss struck. Cause dismissed as to request for writ of mandamus and dismissed as moot as to request for writ of prohibition under S.Ct.Prac.R. 12.04(C).

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

Fischer, DeWine, and Deters, JJ., not participating.

2024-1311. Clark v. Marbley.

In Mandamus. On motions to dismiss of Attorney General Dave Yost and Tenth District Court of Appeals Judges Terri Jamison, Julia Dorrian, Betsy L. Shuster, and Laurel Beatty Blunt; Franklin County Prosecuting Attorney G. Gary Tyack and Assistant Prosecuting Attorney Brandon Coy Hendrix; and Columbus City Attorney Zach Klein granted. Relator's motion to transfer venue, motion to

consolidate pending motion to transfer venue, and demands to strike federal notice of vexation and for bill of particulars, discovery, and statement of facts with sworn affidavit or oath denied. Sua sponte, cause dismissed as to remaining respondents. Cause dismissed.

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

2024-1314. Clark v. Jamison.

In Mandamus. On respondents' motion to dismiss. Motion granted. Relator's motion to transfer venue, motion to consolidate pending motion to transfer, and demands to strike federal notice of vexation and for bill of particulars, discovery, and statement of facts with sworn affidavit or oath denied. Cause dismissed.

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

2024-1315. Clark v. Brown.

In Mandamus. On relator's motion to transfer venue and motion to consolidate pending motion to transfer. Motions denied. Respondents' motion to dismiss granted. Cause dismissed.

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

2024-1319. Clark v. Brown.

In Prohibition. On relator's motion to consolidate pending motion to transfer and request for findings of fact and conclusions of law. Motion and request denied. Motion to dismiss of respondents Franklin County Court of Common Pleas Judges Chris Brown and Michael Holbrook granted. Relator's demands to strike federal notice of vexation and for bill of particulars, discovery, and statement of facts with sworn affidavit or oath denied. Sua sponte, cause dismissed as to remaining respondents. Cause dismissed.

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

2024-1320. Clark v. DeWine.

In Mandamus. On relator's corrected motion to transfer. Motion denied. Respondent Governor Mike DeWine's motion to dismiss granted. Relator's request for findings of fact and conclusions of law and demands to strike federal notice of vexation and for bill of particulars, discovery, and statement of facts with sworn affidavit or oath denied. Sua sponte, cause dismissed as to respondent

United States Attorney for the Southern District of Ohio Kenneth Parker. Cause dismissed.

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

2024-1328. Clark v. Yost.

In Mandamus. On relator's motion to transfer venue, motion to consolidate pending motion to transfer, request for findings of fact and conclusions of law, and demands to strike federal notice of vexation and for bill of particulars, discovery, and statement of facts with sworn affidavit or oath denied. Cause dismissed pursuant to S.Ct.Prac.R. 12.04.

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

2024-1339. Clark v. Reedus.

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

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

2024-1344. State ex rel. Thomas v. Turner.

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

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

2024-1345. State ex rel. Thomas v. Turner.

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

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

2024-1350. Hurston v. DeGraffenreid.

In Mandamus. On respondents' motion to dismiss amended complaint. Motion granted. Cause dismissed.

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

2024-1351. *Tapia v. Collins.*

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

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

Donnelly, J., dissents and would appoint counsel.

2024-1352. *State ex rel. Isreal v. Spaeth.*

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

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

Brunner, J., dissents and would issue an alternative writ.

2024-1360. *Clark v. Stephens.*

In Mandamus. On relator's motion to transfer to United States Supreme Court, motion to consolidate pending motion to transfer, and request for findings of fact and conclusions of law. Motions and request denied. Cause dismissed pursuant to S.Ct.Prac.R. 12.04.

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

2024-1362. *Clark v. Nagel.*

In Prohibition. On relator's motion to transfer venue, motion to consolidate pending motion to transfer, request for findings of fact and conclusions of law. Motions and request denied. Motion to dismiss of respondents Ohio Department of Health, Kristi Williams, Yolanda Ferguson, Ohio Department of Rehabilitation and Correction, Patricia Hertenstein, and Attorney General Dave Yost granted. Sua sponte, cause dismissed as to remaining respondents.

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

2024-1364. *Watters v. State.*

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

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

2024-1375. Williams v. State.

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

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

2024-1378. Clark v. Marbley.

In Mandamus and Prohibition. On relator's motion to transfer venue, motion to consolidate pending motion to transfer, request for findings of fact and conclusions of law, and demands to strike federal notice of vexation and for bill of particulars, discovery, and statement of facts with sworn affidavit or oath. Motions, request, and demands denied. Motion to dismiss of respondents Chief Justice Sharon L. Kennedy and Tenth District Court of Appeals Judges Terri Jamison, Julia Dorrian, Kristen Boggs, Laurel Beatty Blunt, Betsy L. Schuster, and Michael Mentel; Gina Russo, James Green, Jarrod Skinner, Michael Allbritain, Jodi Thomas, and Bill Hedrick; and Franklin County Court of Common Pleas Magistrate Benita Reedes and Judges Lasheyl Stroud, Karen Held Phipps, Chris Brown, and Michael Holbrook granted. Sua sponte, cause dismissed as to remaining respondents. Cause dismissed.

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

Fischer, J., concurs but would deny the motions to dismiss and sua sponte dismiss the cause.

2024-1379. Hablutzel v. Batsche.

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

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

2024-1381. State ex rel. Robinson v. Lombardi.

In Procedendo. On respondent's motion to dismiss. Motion granted. Respondent's motion to declare relator a vexatious litigator denied. Cause dismissed.

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

Fischer, DeWine, and Donnelly, JJ., concur in part and dissent in part and would grant the motion to declare relator a vexatious litigator.

2024-1411. State ex rel. Reed v. Prosecutor's Office.

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

2023-0113. State ex rel. Barr v. Wesson.

In Mandamus. On respondent's response in opposition to contempt and status update as to damages award paid to relator's inmate account. The court declines to hold respondent in contempt.

2023-1465. Cotten v. Frericks.

Marion App. No. 9-23-36. On appellant's request for relief from judgment. Request denied.

2023-1503. Cotten v. May.

Marion App. No. 9-23-44. On appellant's request for relief from judgment and motion to enforce R.C. 2725.12, 2725.15, 2725.17, 2725.21, and 2725.22. Request and motion denied.

2024-0219. State ex rel. Mobley v. Chambers-Smith.

In Mandamus. On relator's motion for leave to file rebuttal evidence. Motion granted. Sua sponte, respondent ordered to file under seal within 20 days for in camera inspection the requested DRC 5200 document.

2024-0259. State ex rel. Baker v. Treglia.

In Mandamus. On relator's request for in camera review. Respondent ordered to file under seal within 20 days for in camera inspection the requested victim's statement and sexual-assault-nurse-examiner (SANE) records.

2024-0533. State ex rel. Clark v. Dept. of Rehab. & Corr.

In Mandamus. On relator's application for stay of proceedings. Application denied.

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

In Mandamus. On respondent's motion for court to assist in effectuation of parties' settlement and request that court take possession of any portion of

settlement funds. Motion and request denied. Relator's application for dismissal of case and request for court costs denied. Because relator filed an affidavit of indigency, there are no court costs to award. Sua sponte, to allow the parties time to effectuate settlement, all briefing deadlines are extended and the following schedule is set for the filing of briefs: 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. No further requests or stipulations for extension of time shall be filed, and the clerk of the court shall refuse to file any requests or stipulations for extension of time.

2024-0842. State ex rel. Johnson v. Booth.

In Mandamus. On relator's motion to proceed to judgment. Motion denied. 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.

Donnelly, Stewart, and Brunner, JJ., would deny the motion as moot.

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

2024-0906. State ex rel. King v. Lyons.

In Mandamus. On respondents' motion to dismiss. Motion denied. 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.

Relator's motion for in camera inspection granted in part and denied in part. Respondents ordered to file under seal within 20 days for in camera inspection the records of the 2014, 2015, and 2017 criminal cases against Austin Combs, the applications to seal the cases, and the orders sealing them. Relator's request that case be referred to a master commissioner for a hearing denied.

Fischer, J., dissents in part and would grant respondents' motion and deny relator's motion in its entirety.

2024-0907. State ex rel. Mohican Young Star Academy v. Cornyn.

In Mandamus. On respondent's motion for judgment on pleadings. Motion denied. 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. Sua sponte, respondent ordered to file under seal within 20 days for in camera inspection unredacted copies of the responses to the 2023 public-records request that relator claims were improperly redacted.

2024-0918. State ex rel. Penland v. Aramark Corr. Serv., L.L.C.

In Mandamus. On relator's motion for order to produce evidence. Motion denied. Relator's "motion for leave to revise verified writ of mandamus and memorandum in support" granted and relator's revised verified complaint and memorandum in support deemed filed as of the date of the court's entry. Respondent's motion to dismiss denied as moot. Relator's motion to serve respondent denied.

Deters, J., would deny the motion to dismiss on the merits.

Fischer, J., not participating.

2024-1079. In re Adoption of S.G.L.

Summit App. No. 30485, [2024-Ohio-2248](#). On appellee's motion to strike. Motion granted. Appellant's motion to update, emergency motion for custody, request for disqualification of counsel, request for stay of proceedings, and request for change of venue struck.

Fischer and Brunner, JJ., dissent in part and would deny appellee's motion.

Stewart, J., dissents in part and would deny all the motions as moot.

2024-1301. State v. Simmons.

Montgomery App. No. 29941, [2024-Ohio-3036](#). On review of order certifying a conflict. The court determines that a conflict exists. The parties are to brief the issue as stated on the eighth page of the court of appeals' September 18, 2024 entry: "Is evidence of force in the nature of manipulating a sleeping victim's clothing to facilitate sexual conduct with the sleeping victim sufficient by itself to establish forcible rape in violation of R.C. 2907.02(A)(2), or is said evidence insufficient since the force must have compelled the victim to submit to the sexual conduct in question?" The conflict case is *State v. Clark*, [2008-Ohio-3358](#) (8th

Dist.). Sua sponte, cause consolidated with 2024-1187, *State v. Simmons*, and briefing in case Nos. 2024-1187 and 2024-1301 consolidated.

DeWine, J., dissents.

2024-1355. State ex rel. Howard v. Plank.

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, 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.

2024-1363. State ex rel. Clark v. Dept. of Rehab. & Corr.

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.

2024-1374. State ex rel. Jefferson v. Black.

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, 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.

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

2024-1466. State ex rel. Parikh v. Berkowitz.

Hamilton App. No. C-240187, [2024-Ohio-4686](#). On appellant's motion for stay of court of appeals' judgment. Motion denied.

2024-1510. McGrady v. Camara.

Cuyahoga App. No. 113502, [2024-Ohio-4903](#). On appellant's emergency motion to stay. Motion denied.

Stewart and Brunner, JJ., dissent.

APPEALS ACCEPTED FOR REVIEW

2024-1212. Moore v. Mercy Med. Ctr.

Stark App. No. 2023 CA 00145, [2024-Ohio-2610](#).

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

2024-1187. State v. Simmons.

Montgomery App. No. 29941, [2024-Ohio-3036](#). Appeal accepted and cross-appeal not accepted. Sua sponte, cause consolidated with 2024-1301, *State v. Simmons*, and briefing in case Nos. 2024-1187 and 2024-1301 consolidated.

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

Fischer, J., dissents in part and would accept the cross-appeal.

DeWine and Donnelly, JJ., dissent in part and would not accept the appeal.

2024-1256. Coykendall v. Lima Refining Co.

Lucas App. No. L-23-1100, [2024-Ohio-2835](#). Appeal accepted on proposition of law No. I.

Donnelly and Brunner, JJ., would accept the appeal on both propositions of law.

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

Jeffrey M. Welbaum, J., of the Second District Court of Appeals, sitting for Fischer, J.

APPEALS NOT ACCEPTED FOR REVIEW

2024-1223. Burning River Lacrosse, L.L.C. v. Kortowich.

Cuyahoga App. Nos. 114087 and 114110.

Donnelly, Stewart, and Brunner, JJ., dissent and would summarily reverse the court of appeals' judgment and remand the cause to that court for it to accept the appeal and hear the case.