

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

December 24, 2024

[Cite as *12/24/2024 Case Announcements*, 2024-Ohio-6007.]

MERIT DECISIONS WITH OPINIONS

2022-1257. State v. Degahson, Slip Opinion No. 2024-Ohio-5989.

Clark App. No. 2021-CA-35, **2022-Ohio-2972**. Court of appeals' judgment affirmed on the authority of *State v. Miree*, **2024-Ohio-5714**.

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

Fischer, J., dissents.

2022-1601 and 2022-1626. State v. Wagner, Slip Opinion No. 2024-Ohio-5939.

Lake App. No. 2021-L-101, **2022-Ohio-4051**. Court of appeals' judgment reversed on the authority of *State v. Miree*, **2024-Ohio-5714**, and cause remanded.

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

2023-1003. State v. Terry, Slip Opinion No. 2024-Ohio-5940.

Summit App. No. 30137, **2023-Ohio-2234**. Court of appeals' judgment affirmed as to proposition of law No. I on the authority of *State v. Miree*, **2024-Ohio-5714**, and cause dismissed as to proposition of law No. II as having been improvidently accepted.

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

2024-0902. State v. Heltzel, Slip Opinion No. 2024-Ohio-5941.

Trumbull App. No. 2023-T-0088, [2024-Ohio-1742](#). Court of appeals' judgment affirmed on the authority of *State v. Hickman*, [2024-Ohio-5747](#).

Kennedy, C.J., and DeWine, Brunner, and Hawkins, JJ., concur.

Donnelly, J., concurs in judgment only, with an opinion joined by Stewart, J.

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

MOTION AND PROCEDURAL RULINGS

2023-1001. State v. Fips.

Cuyahoga App. No. 111900, [2023-Ohio-2295](#). On appellee's motion for appointment of the Office of the Ohio Public Defender as counsel. Motion granted. Office of the Ohio Public Defender appointed to represent appellee.

RECONSIDERATION OF PRIOR DECISIONS

2022-1290. State v. Beatty.

Clermont App. No. CA2021-10-057, [2022-Ohio-3099](#). Reported at [2024-Ohio-5684](#). On motion for reconsideration. Motion denied.

DeWine and Hawkins, JJ., dissent.

2023-1285. Estate of Cook v. Montville Twp.

Medina App. No. 22CA0046-M, [2023-Ohio-3002](#). Reported at [2024-Ohio-5690](#). On motion for reconsideration. Motion denied.

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

MISCELLANEOUS DISMISSALS

2023-1159. Klein's Pharmacy & Orthopedic Appliances, Inc. v. Summit Cty. Court of Common Pleas.

In Prohibition. On relators' application for dismissal. Application granted. Cause dismissed.

2024-0599. State ex rel. Alele v. Warren Cty. Transp. Improvement Dist.

In Mandamus. Relators have not filed a merit brief, due December 20, 2024, in compliance with the Rules of Practice of the Supreme Court of Ohio and therefore have failed to prosecute this cause with the requisite diligence. Cause dismissed.

2024-1554. Williams v. Hung.

Cuyahoga App. No. 113661, **2024-Ohio-4682**. On appellant's application for dismissal. Application granted. Cause dismissed.

MEDIATION MATTERS

2024-0858. State ex rel. Fenstermaker v. Phillips.

In Mandamus. The court returns this case to the regular docket under S.Ct.Prac.R. 19.01. Relator shall file a response to respondent's motion for judgment on the pleadings, if any, within 10 days of the date of this entry. Relator shall file a brief within 30 days of the date of this 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. The court may dismiss this case or take other action if the parties fail to timely file merit briefs.

The court refers the following cases to mediation under S.Ct.Prac.R. 19.01 and stays all filing deadlines for each case until further order of this court. The court will not issue any decision on the merits in these cases until mediation has concluded.

2024-1714. State ex rel. Barker v. Muskingum Cty. Sheriff's Office.

In Mandamus.

2024-1747. State ex rel. Gallagher v. Ohio Dept. of Agriculture.

In Mandamus.