

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

January 28, 2025

[Cite as *01/28/2025 Case Announcements, 2025-Ohio-231.*]

MERIT DECISIONS WITHOUT OPINIONS

2024-1566. State ex rel. Sanders v. O'Brien.

In Habeas Corpus. Sua sponte, cause dismissed.

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

2024-1668. Allen v. Frederick.

In Habeas Corpus. On petitioner's motion to grant writ forthwith. Motion denied as moot. Sua sponte, cause dismissed.

Kennedy, C.J., and Deters, Hawkins, and Shanahan, JJ., concur.

Fischer, DeWine, and Brunner, JJ., concur but would deny the motion on the merits.

2024-1682. State v. Frett.

In Habeas Corpus. Sua sponte, cause dismissed.

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

2024-1740. State ex rel. Portis v. Luneke.

In Habeas Corpus. Sua sponte, cause dismissed.

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

Fischer, J., not participating.

2024-1757. State ex rel. West v. Palmer.

In Habeas Corpus. On petitioner's motion to expedite review. Motion denied. Sua sponte, cause dismissed.

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

MOTION AND PROCEDURAL RULINGS

2024-1524. State v. Salako.

Cuyahoga App. No. 112311, [2023-Ohio-3155](#). On motion for leave to file delayed appeal. Motion denied.

Fischer, J., dissents.

2024-1529. State v. Harris.

Cuyahoga App. No. 113128, [2024-Ohio-2707](#). On motion for leave to file delayed appeal. Motion denied.

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

2024-1592. State v. Flanik.

Cuyahoga App. No. 113145, [2024-Ohio-1689](#). On motion for leave to file delayed appeal. Motion denied.

2024-1596. State v. Maloney.

Butler App. No. CA2023-11-122, [2024-Ohio-3143](#). On motion for leave to file delayed appeal. Motion denied.

Kennedy, C.J., and Fischer, J., dissent.

2024-1600. State v. Esters.

Summit App. No. 30329, [2023-Ohio-3699](#). On motion for leave to file delayed appeal. Motion denied.

2024-1611. State v. Johnson.

Cuyahoga App. No. 113359, [2024-Ohio-3108](#). On motion for leave to file delayed appeal. Motion denied.

Kennedy, C.J., and Fischer, J., dissent.

2024-1613. State v. Craine.

Franklin App. No. 23AP-359, [2024-Ohio-2501](#). On motion for leave to file delayed appeal. Motion denied.

2024-1615. State v. Reber.

Mahoning App. No. 24MA0032. On motion for leave to file delayed appeal. Motion denied.

2024-1620. State v. Jarvis.

Stark App. No. 2023CA00039, [2024-Ohio-524](#). On motion for leave to file delayed appeal. Motion denied.

2024-1628. State v. Cook.

Richland App. No. 2023 CA 0020, [2024-Ohio-4481](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

Hawkins, J., dissents.

2024-1639. State v. Bright.

Cuyahoga App. No. 112799, [2024-Ohio-2803](#). On motion for leave to file delayed appeal. Motion denied.

Fischer and Brunner, JJ., dissent.

2024-1643. State v. Coutcher.

Lucas App. No. L-23-1214, [2024-Ohio-4721](#). On motion for leave to file delayed appeal. Motion denied.

Fischer and DeWine, JJ., dissent.

2024-1683. State v. Miller.

Mahoning App. No. 23 MA 0117, [2024-Ohio-4520](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

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

2024-1700. Holmes v. Pub. Storage.

Butler App. No. CA2024-10-124. On emergency motion for an expedited order. Motion denied.

2024-1730. State v. Winston.

Cuyahoga App. No. 113318, [2024-Ohio-4583](#). On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

Kennedy, C.J., and Fischer, J., dissent.

2024-1783. State v. Stacy.

Ashtabula App. No. 2023-CA-0022. On motion for stay of the court of appeals' judgment. Motion granted.

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

APPEALS ACCEPTED FOR REVIEW

2024-1276. State v. D.T.

Cuyahoga App. No. 112955, [2024-Ohio-4482](#).

Deters, Hawkins, and Shanahan, JJ., would hold the cause for the decision in [2023-1242](#), *State v. Turner*.

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

2024-1475. State v. Knight.

Mahoning App. No. 22 MA 0102, [2024-Ohio-4518](#).

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

2024-1608. State v. King.

Cuyahoga App. Nos. 114315 and 114317.

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

APPEALS NOT ACCEPTED FOR REVIEW

2024-1024. State v. Newton.

Trumbull App. No. 2023-T-0050, [2024-Ohio-402](#).

2024-1084. State v. Palmer.

Clark App. No. 2024-CA-29.

2024-1091. State v. Smith.

Summit App. No. 30476, [2024-Ohio-324](#). Appellant's "motion to order all evidence & journal entries from [Summit C.P. Nos.] CR-2020-08-2058 & CR-2020-08-2217 & [Summit App. No.] CA-30476." Motion denied.

DeWine and Hawkins, JJ., would deny the motion as moot.

2024-1190. State v. Zendarski-Metcalf.

Lake App. No. 2023-L-078, [2024-Ohio-780](#).

2024-1193. State v. Parker.

Trumbull App. No. 2023-T-0012, [2024-Ohio-2212](#).

2024-1218. State v. Taylor.

Muskingum App. No. CT2023-0064, [2024-Ohio-238](#).

2024-1225. State v. Hunt.

Cuyahoga App. No. 107125, [2019-Ohio-4053](#).

2024-1253. State v. Anderson.

Lake App. No. 2023-L-099, [2024-Ohio-2505](#).

2024-1317. State v. Jackson.

Lake App. No. 2023-L-112, [2024-Ohio-2599](#).

2024-1324. State v. Jackson.

Cuyahoga App. No. 112944, [2024-Ohio-2261](#).

2024-1427. Wiltz v. OhioHealth.

Delaware App. Nos. 2023 CAE 11 0097 and 2024 CAE 02 0009. Motion of appellees OhioHealth, OhioHealth Physician Group, Candace Martin, and OhioHealth Custodian of Records for sanctions and other relief denied.

Fischer, J., dissents in part and would grant the motion.

2024-1432. Premier Container, Inc. v. Miller.

Cuyahoga App. No. 114048.

Kennedy, C.J., dissents.

2024-1435. State v. Washington.

Miami App. No. 2020-CA-18, [2024-Ohio-3333](#).

2024-1436. Homestead Am., Ltd. v. Brown.

Franklin App. Nos. 23AP-377 and 23AP-382, [2024-Ohio-3253](#).

Fischer, J., dissents.

2024-1438. Song v. Rom.

Cuyahoga App. No. 112770, [2024-Ohio-1787](#).

2024-1439. State v. Elliott.

Franklin App. No. 22AP-532.

Brunner, J., not participating.

2024-1441. Bierly v. Kettering Health Network.

Montgomery App. No. 30043, [2024-Ohio-3326](#).

2024-1442. Ohio Hwy. Patrol Retirement Sys. v. Express Scripts, Inc.

Franklin App. No. 24AP-318.

Kennedy, C.J., dissents.

2024-1445. Hollan v. McCall.

Clermont App. No. CA2024-04-033.

2024-1453. Ohio House Republican Alliance v. Stephens.

Franklin App. No. 24AP-393, [2024-Ohio-3416](#).

Brunner, J., would order the parties to submit short briefs on whether the case is moot in light of Representative Matt Huffman's election as Speaker of the Ohio House of Representatives.

2024-1456. State v. Knowlton.

Medina App. No. 2023CA0042-M, [2024-Ohio-4738](#).

2024-1458. State v. Mitchell.

Portage App. No. 94-P-0070.

2024-1459. State v. Sanders.

Allen App. No. 1-17-36, [2024-Ohio-3365](#).

2024-1461. State v. Cummings.

Fayette App. No. CA2023-12-018, [2024-Ohio-3356](#).

Brunner, J., dissents.

2024-1462. Thomas v. Salahaldin.

Cuyahoga App. No. 113234, [2024-Ohio-3298](#). Appellant's motion for sanctions and to strike statements as unethical denied.

2024-1463. State v. McDaniel.

Meigs App. No. 22CA9, [2023-Ohio-3051](#).

2024-1465. State v. Owens.

Delaware App. No. 23 CAA 09 0088, [2024-Ohio-3383](#).

2024-1468. State v. Redmond.

Cuyahoga App. No. 113556, [2024-Ohio-3404](#).

2024-1469. Ames v. Columbus City School Dist. Bd. of Edn.

Franklin App. No. 24AP-143, [2024-Ohio-3411](#).

Kennedy, C.J., dissents.

2024-1470. State v. Fisher.

Cuyahoga App. No. 113205, [2024-Ohio-4484](#).

2024-1472. Moody v. Dept. of Mental Health & Addiction Servs.

Franklin App. No. 24AP-144, [2024-Ohio-4701](#).

2024-1473. Hudson v. FPT Cleveland, L.L.C.

Cuyahoga App. Nos. 113126 and 113375, [2024-Ohio-2904](#).

2024-1476. Randall v. JM Smucker Co.

Lucas App. No. L-23-1250, [2024-Ohio-4725](#).

2024-1479. Voorhees v. Anderson Twp. Bd. of Zoning Appeals.

Hamilton App. No. C-240095, [2024-Ohio-4459](#).

2024-1482. State v. Newlon.

Muskingum App. No. CT2023-0085, [2024-Ohio-3433](#).

2024-1483. State v. Nashe.

Cuyahoga App. No. 112947, [2024-Ohio-3400](#).

2024-1484. State v. Parks.

Montgomery App. No. 30049, [2024-Ohio-5026](#).

2024-1487. State v. Lykes.

Cuyahoga App. No. 113260, [2024-Ohio-2364](#).

2024-1492. Dubovsky v. Schuerr.

Wayne App. No. 24AP0019.

2024-1494. Gateway Royalty II, L.L.C. v. Gulfport Energy Corp.
Belmont App. No. 23 BE 0042, [2024-Ohio-4844](#).

2024-1497. State v. Patterson.

Greene App. No. 2024-CA-28, [2024-Ohio-4605](#). Appellant's motion for consolidation denied.

Kennedy, C.J., and Brunner and Hawkins, JJ., would deny the motion as moot.

2024-1498. Strong v. Toledo.

Lucas App. No. L-23-1255, [2024-Ohio-4613](#).

Brunner, J., dissents.

2024-1500. State v. Benschoff.

Ashland App. No. 24COA029.

2024-1506. State v. Jordan.

Montgomery App. No. 18600.

2024-1507. State v. Jones.

Van Wert App. No. 15-24-01, [2024-Ohio-4528](#).

2024-1509. Capital City Mechanical, Inc. v. Bartoe.

Franklin App. No. 23AP-672, [2024-Ohio-4550](#).

2024-1512. State v. Hartman.

Sandusky App. No. S-24-013.

2024-1516. EAP Ohio, L.L.C. v. Sunnydale Farms, L.L.C.

Carroll App. Nos. 24 CA 0974 and 24 CA 0975, [2024-Ohio-4522](#).

2024-1518. State v. Shiffert.

Ottawa App. No. OT-23-036, [2024-Ohio-4952](#).

Fischer and Hawkins, JJ., dissent.

2024-1520. State v. Walters.

Clark App. No. 2024-CA-16, [2024-Ohio-4607](#).

Brunner, J., dissents and would accept the appeal on proposition of law Nos. II and III.

2024-1521. State v. McKinney.

Lawrence App. No. 23CA21, [2024-Ohio-4642](#).

2024-1522. Krueger v. Krueger.

Geauga App. No. 2023-G-0046, [2024-Ohio-2863](#).

2024-1523. State v. Croy.

Tuscarawas App. No. 2023AP060036, [2024-Ohio-4638](#).

2024-1525. State v. Barrett.

Delaware App. No. 24CAA080050.

2024-1527. State v. Jemison.

Warren App. No. CA2024-09-062.

2024-1528. State v. Baker.

Allen App. No. 1-24-52.

2024-1530. State v. Picard.

Richland App. No. 24CA32.

2024-1533. Wells Fargo Bank, N.A. v. Simpson.

Butler App. No. CA2024-03-039.

2024-1534. Akron v. Irvin.

Summit App. No. 30841, [2024-Ohio-4562](#).

Fischer, J., dissents.

2024-1535. McFadden v. Charter Communications, Inc.

Summit App. No. 31001, [2024-Ohio-4564](#).

Kennedy, C.J., and Fischer, J., dissent.

2024-1538. State v. Hughes.

Cuyahoga App. No. 113382, [2024-Ohio-2269](#).

2024-1545. State v. Pineda.

Holmes App. No. 24CA001, [2024-Ohio-4635](#).

2024-1547. State v. Steen.

Muskingum App. No. CT2024-0018, [2024-Ohio-4691](#).

2024-1550. State v. Saunders.

Cuyahoga App. No. 113207, [2024-Ohio-4580](#).
Hawkins, J., dissents.

2024-1551. State v. Berkley.

Cuyahoga App. No. 113308, [2024-Ohio-4582](#).

2024-1552. State v. Pouge.

Cuyahoga App. No. 112934, [2024-Ohio-4578](#).

2024-1553. State v. Sanders.

Summit App. No. 31226. Appellee’s motion to dismiss notice of appeal denied as moot. Appellant’s “petition to address extradition process violations” denied.

Kennedy, C.J., would deny the motion on the merits and deny the petition as moot.

DeWine, J., would deny the petition as moot.

Brunner, J., would deny the motion on the merits.

Hawkins, J., would grant the motion.

2024-1555. State v. Parks.

Montgomery App. No. 30049, [2024-Ohio-5026](#).

2024-1558. Fields v. Penick.

Muskingum App. No. CT2024-0059, [2024-Ohio-4664](#).

2024-1559. State v. Gregory.

Lucas App. No. L-21-1106, [2023-Ohio-331](#).

2024-1561. State v. Anderson.

Summit App. No. 30925, [2024-Ohio-4735](#).

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

Brunner, J., dissents.

2024-1562. State v. Curtis.

Fayette App. No. CA2024-01-001, [2024-Ohio-4625](#).

DeWine, J., dissents.

2024-1564. State v. Grover.

Ashtabula App. No. 2022-A-0092, [2024-Ohio-505](#).

2024-1565. State v. Wilkes.

Stark App. No. 2023CA00138, [2024-Ohio-4666](#).

2024-1567. State v. Day.

Lucas App. No. L-24-1031.

2024-1568. State v. Payne.

Franklin App. No. 23AP-335, [2024-Ohio-4698](#).

Brunner, J., not participating.

2024-1570. Senuta v. Boston Twp.

Summit App. No. 30798, [2024-Ohio-4661](#).

Kennedy, C.J., dissents.

2024-1571. Adams Metro. Hous. Auth. v. McKenzie.

Adams App. No. 24CA1204.

2024-1573. State v. Baker.

Fayette App. No. CA2023-11-015, [2024-Ohio-2856](#).

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

2024-1576. Butt v. Butt.

Licking App. No. 24CA0027, [2024-Ohio-4689](#).

2024-1577. State v. Hoffman.

Trumbull App. No. 2024-T-0058, [2024-Ohio-3372](#).

2024-1578. Wiltz v. Miller.

Delaware App. No. 24CAE080051. Motion of appellees Chad Michael Miller, Riverside Methodist Hospital, Elizabeth Wipper, Kay Ellen Goodall, Valerie Toivonen, and Deborah K. Reynard for sanctions and other relief denied.

Fischer and Deters, JJ., would grant the motion in part and declare appellant Cassandra Wiltz to be a vexatious litigator.

2024-1579. State v. Johnson.

Cuyahoga App. No. 113034, [2024-Ohio-1163](#).

2024-1581. Spirit Realty, L.P. v. Warren Cty. Bd. of Revision.

Warren App. No. CA2024-05-029, [2024-Ohio-4734](#).

2024-1582. State v. Kohler.

Cuyahoga App. No. 113394, [2024-Ohio-3302](#).

2024-1583. Rielinger v. United Ohio Ins. Co.

Cuyahoga App. Nos. 113880 and 113917.

2024-1587. State v. Childs.

Franklin App. No. 23AP-486, [2024-Ohio-4699](#). Appellant's motion for appointment of counsel denied.

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

2024-1589. State v. Bonner.

Erie App. No. E-23-0023.

2024-1591. State v. Dye.

Cuyahoga App. No. 113356, [2024-Ohio-3191](#). Appellee's motion to strike memorandum in support of jurisdiction denied.

DeWine, Deters, and Shanahan, JJ., would deny the motion as moot.

2024-1593. State v. Stevens.

Lucas App. No. L-21-1219, [2023-Ohio-4683](#). Appellant's motion for supplementation of the record denied.

Kennedy, C.J., dissents in part and would grant the motion.

2024-1594. Robinson v. Bishop.

Lorain App. No. 23CA012018, [2024-Ohio-4828](#).

2024-1597. State v. Garcia.

Madison App. No. CA2024-08-014.

2024-1599. Prey v. Franciscan Univ. of Steubenville.

Jefferson App. No. 24 JE 0004, [2024-Ohio-4871](#).

Fischer, J., dissents.

2024-1602. Akron v. Beasley.

Summit App. Nos. 30745 and 30746, [2024-Ohio-3089](#).

2024-1603. State ex rel. Yost v. Rover Pipeline, L.L.C.

Stark App. No. 2023CA00151, [2024-Ohio-4769](#).

Brunner, Deters, and Shanahan, JJ., dissent.

2024-1604. State v. Berk.

Franklin App. No. 85AP-720.

2024-1607. State v. Anderson.

Richland App. No. 2023 CA 0050, [2024-Ohio-3181](#).

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

2024-1609. State v. Nodal.

Lorain App. No. 22CA011862, [2024-Ohio-2473](#).

2024-1610. State v. Wesley.

Cuyahoga App. No. 113668, [2024-Ohio-4798](#).

2024-1612. State v. Enyart.

Franklin App. No. 23AP-642, [2024-Ohio-4802](#).

Hawkins, J., not participating.

2024-1617. State v. Henderson.

Cuyahoga App. No. 113622, [2024-Ohio-4795](#).

Hawkins, J., dissents.

2024-1618. State v. Jackson.

Hamilton App. No. C-230660, [2024-Ohio-4770](#).

DeWine, Deters, and Shanahan, JJ., dissent.

2024-1619. State v. Andrews.

Hamilton App. No. C-230661, [2024-Ohio-4770](#).

DeWine, Deters, and Shanahan, JJ., dissent.

2024-1625. In re T.S.

Union App. Nos. 14-24-14 through 14-24-18, [2024-Ohio-4841](#).

Fischer and Brunner, JJ., dissent.

2024-1626. State v. Phipps.

Fayette App. Nos. CA2024-04-006 and CA2024-04-007, [2024-Ohio-4832](#).

2024-1638. Marck v. Partin.

Brown App. No. CA2023-11-013, [2024-Ohio-4829](#).

2024-1642. State v. Cottrell.

Cuyahoga App. No. 113453, [2024-Ohio-4900](#).

2024-1649. State v. Honzu.

Trumbull App. No. 2024-T-0040, [2024-Ohio-5266](#).

2024-1661. State v. Hinsch.

Hamilton App. No. C-240032, [2024-Ohio-4984](#).

Fischer and Brunner, JJ., dissent.

Deters, J., not participating.

2024-1665. State v. Honzu.

Trumbull App. No. 2024-T-0054, [2024-Ohio-5439](#).

2024-1679. EGAP Mason I, L.L.C. v. Warren Cty. Bd. of Revision.

Warren App. No. CA2024-05-030, [2024-Ohio-5049](#).

2024-1692. State v. Radabaugh.

Hardin App. No. 6-24-01, [2024-Ohio-5640](#). Appellant's motion to appoint counsel for appeal denied.

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

DISCIPLINARY CASES

2024-1719. Cincinnati Bar Assn. v. Perelmuter.

On Certified Report by the Board of Professional Conduct, No. 2024-018. Yaakov Ephraim Perelmuter, Attorney Registration No. 0093004, last known business address in Overland Park, Kansas, suspended from the practice of law for six months, with the entire suspension conditionally stayed.

Fischer, DeWine, Deters, Hawkins, and Shanahan, JJ., concur.

Kennedy, C.J., dissents and would remand the matter to the board.

Brunner, J., not participating.