

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

August 23, 2006

[Cite as *08/23/2006 Case Announcements*, 2006-Ohio-4288.]

MERIT DECISIONS WITH OPINIONS

In re Ohio Criminal Sentencing Statutes Cases, 2006-Ohio-4086.

Dispositions of currently pending appeals based on the decision in *State v. Foster*, 109 Ohio St.3d 1, 2006-Ohio-856, 845 N.E.2d 470. See entry.

Moyer, C.J., Resnick, Pfeifer, Lundberg Stratton, O'Connor, O'Donnell and Lanzinger, JJ., concur.

2005-0262. Doe v. Archdiocese of Cincinnati, 2006-Ohio-4087.

Hamilton App. Nos. C-030900, C-030949, C-030950, and C-040072, 2004-Ohio-7003. Judgment affirmed.

Moyer, C.J., Lundberg Stratton, O'Connor and O'Donnell, JJ., concur.

Pfeifer, J., dissents.

Resnick and Lanzinger, JJ., not participating.

2005-0263. Miller v. Archdiocese of Cincinnati, 2006-Ohio-4088.

Hamilton App. Nos. C-040050, C-040170, C-040171, C-040233, and C-040347. Judgment affirmed.

Moyer, C.J., Lundberg Stratton, O'Connor and O'Donnell, JJ., concur.

Pfeifer, J., dissents.

Resnick and Lanzinger, JJ., not participating.

2005-1483. State ex rel. Navistar Internatl. Transp. Corp. v. Indus. Comm., 2006-Ohio-4089.

Franklin App. No. 04AP-638, 2005-Ohio-3284. Judgment affirmed.

Moyer, C.J., Resnick, Pfeifer, O'Connor, O'Donnell and Lanzinger, JJ., concur.

Lundberg Stratton, J., concurs separately.

2005-1585. Cleveland Bar Assn. v. Kodish, 2006-Ohio-4090.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 03-100. Joan Allyn Kodish, Attorney Registration No. 0013377, is indefinitely suspended from the practice of law in Ohio.

Moyer, C.J., Resnick, Pfeifer, Lundberg Stratton, O'Connor and Lanzinger, JJ., concur.

O'Donnell, J., dissents.

2005-2223. State ex rel. Peffer v. Russo, 2006-Ohio-4092.

Cuyahoga App. No. 87149, 2005-Ohio-5556. Judgment reversed.

Resnick, Acting C.J., Lundberg Stratton, O'Connor, O'Donnell and Lanzinger, JJ., concur.

Pfeifer, dissents.

Moyer, C.J., not participating.

2006-0444. Disciplinary Counsel v. Bowman, 2006-Ohio-4333.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 05-063. Kevin Arthur Bowman, Attorney Registration No. 0068223, is suspended from the practice of law in Ohio for two years.

Moyer, C.J., Resnick, Pfeifer, Lundberg Stratton, O'Connor, O'Donnell and Lanzinger, JJ., concur.

2006-0780 and 2006-0841. Bowling Green v. Chasteen, 2006-Ohio-4093.

Wood App. No. WD-05-079. Judgment reversed.

Moyer, C.J., Resnick, Pfeifer, Lundberg Stratton, O'Connor, O'Donnell and Lanzinger, JJ., concur.

2006-0802. Medina Cty. Bar Assn. v. Wootton, 2006-Ohio-4094.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 05-056. Arthur William Wootton, Attorney Registration No. 0033387, is permanently disbarred from the practice of law in Ohio.

Moyer, C.J., Resnick, Pfeifer, Lundberg Stratton, O'Connor, O'Donnell and Lanzinger, JJ., concur.

2006-0878. State ex rel. Evans v. Blackwell, 2006-Ohio-4334.

Franklin App. No. 06AP-6, 2006-Ohio-2076. Judgment affirmed.

Moyer, C.J., Pfeifer, Lundberg Stratton, O'Connor and Lanzinger, JJ., concur.

Resnick and O'Donnell, JJ., not participating.

MERIT DECISIONS WITHOUT OPINIONS

2006-0910. State ex rel. PFC Lamont Hill Memorial v. Petro.

In Mandamus. On respondent's answer and motion for judgment on pleadings, relator's motions for leave to amend the caption of the complaint, to strike motion for judgment on the pleadings, and to disqualify Jennifer L. Urban from representing respondent, and respondent's motion to strike relator's motions to amend complaint, to strike, and to disqualify counsel. Relator's motion for leave to amend the caption of the complaint is granted. Relator's motions to strike and to disqualify counsel are denied. Respondent's motion for judgment on the pleadings is granted. Cause dismissed.

Moyer, C.J., Resnick, Pfeifer, Lundberg Stratton, O'Connor, O'Donnell and Lanzinger, JJ., concur.

2006-1097. State ex rel. Hayden v. Berea Mun. Court.

In Mandamus. On answer of respondent Ohio Department of Rehabilitation and Correction and motions to dismiss of City of Brook Park Prosecutor, City of Brook Park Police Department, Berea Municipal Court, City of Berea, Judge Mark A. Comstock, and Berea Clerk of Courts. Motions to dismiss granted. Cause dismissed.

Moyer, C.J., Resnick, Pfeifer, Lundberg Stratton, O'Connor, O'Donnell and Lanzinger, JJ., concur.

2006-1152. Steele v. AultCare Corp.

Stark App. No. 2005CA00241, 2006-Ohio-2200. On appellant's notice of appeal and memorandum in support of jurisdiction and appellee's motion to dismiss. Motion to dismiss granted. Cause dismissed.

Moyer, C.J., Resnick, Pfeifer, Lundberg Stratton, O'Connor, O'Donnell and Lanzinger, JJ., concur.

2006-1162. Steele v. AultCare Corp.

Stark App. No. 2005CA00241, 2006-Ohio-2200. On review of order certifying a conflict and appellee's motion to dismiss. Motion to dismiss granted. Cause dismissed.

Moyer, C.J., Resnick, Pfeifer, Lundberg Stratton, O'Connor, O'Donnell and Lanzinger, JJ., concur.

2006-1192. Hatfield v. Fais.

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

Moyer, C.J., Resnick, Pfeifer, Lundberg Stratton, O'Connor, O'Donnell and Lanzinger, JJ., concur.

2006-1219. State ex rel. Wilson v. Ohio Dept. of Rehab. & Corr.

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

Moyer, C.J., Resnick, Pfeifer, Lundberg Stratton, O'Connor, O'Donnell and Lanzinger, JJ., concur.

2006-1224. Bowen v. Stewart.

Washington App. No. 05CA32, 2006-Ohio-831. On review of order certifying a conflict. The court determines that no conflict exists. This cause is therefore dismissed.

Moyer, C.J., Resnick, Pfeifer, Lundberg Stratton, O'Connor, O'Donnell and Lanzinger, JJ., concur.

2006-1229. Galloway v. Croft.

In Habeas Corpus. On petition for writ of habeas corpus of Richard A. Galloway. Sua sponte, cause dismissed.

Moyer, C.J., Resnick, Pfeifer, Lundberg Stratton, O'Connor, O'Donnell and Lanzinger, JJ., concur.

2006-1230. Wymes v. Eberlin.

In Habeas Corpus. On petition for writ of habeas corpus of Alphonso Wymes. Sua sponte, cause dismissed.

Moyer, C.J., Resnick, Pfeifer, Lundberg Stratton, O'Connor, O'Donnell and Lanzinger, JJ., concur.

2006-1275. Weaver v. Timmerman-Cooper.

In Habeas Corpus. On petition for writ of habeas corpus of Vernon L. Weaver Jr. Sua sponte, cause dismissed.

Moyer, C.J., Resnick, Pfeifer, Lundberg Stratton, O'Connor, O'Donnell and Lanzinger, JJ., concur.

2006-1338. Potts v. Eberlin.

In Habeas Corpus. On petition for writ of habeas corpus of Todd A. Potts. Sua sponte, cause dismissed.

Moyer, C.J., Resnick, Pfeifer, Lundberg Stratton, O'Connor, O'Donnell and Lanzinger, JJ., concur.

2006-1340. Miller v. Wolfe.

In Habeas Corpus. On petition for writ of habeas corpus of Christopher Miller. Sua sponte, cause dismissed.

Moyer, C.J., Resnick, Pfeifer, Lundberg Stratton, O'Connor, O'Donnell and Lanzinger, JJ., concur.

2006-1441. Crosby v. Jeffreys.

In Habeas Corpus. On petition for writ of habeas corpus of Ronald G. Crosby. Sua sponte, cause dismissed.

Moyer, C.J., Resnick, Pfeifer, Lundberg Stratton, O'Connor and O'Donnell, JJ., concur.

Lanzinger, J., not participating.

MOTION AND PROCEDURAL RULINGS

2003-0647. State v. Conway.

Franklin C.P. No. 02CR-1153. On application for reopening under S.Ct.Prac.R. XI(6). Application denied.

O'Donnell, J., dissents.

2005-1593. LeRoy v. Allen Yurasek & Merklin.

Union App. No. 14-04-49, 162 Ohio App.3d 155, 2005-Ohio-4452. On joint motion to amend grant of jurisdiction and enter final judgment. Motion denied. Sua sponte, the court orders that this cause is returned to the regular docket. Appellants/cross-appellees shall file their merit brief within 40 days of the date of this entry, and the parties shall otherwise proceed in accordance with S.Ct.Prac.R. VI. As provided in S.Ct.Prac.R. VI(7), the court may dismiss this case or take other action if the parties fail to timely file merit briefs.

Lundberg Stratton, J., dissents.

2005-1926. LeRoy v. Allen Yurasek & Merklin.

Union App. No. 14-04-49, 162 Ohio App.3d 155, 2005-Ohio-4452. On joint motion to amend grant of jurisdiction and enter final judgment. Motion denied. Sua sponte, the court orders that this cause is returned to the regular docket. Appellants/cross-appellees shall file their merit brief within 40 days of the date of this entry, and the parties shall otherwise proceed in accordance with S.Ct.Prac.R.

VI. As provided in S.Ct.Prac.R. VI(7), the court may dismiss this case or take other action if the parties fail to timely file merit briefs.

Lundberg Stratton, J., dissents.

2006-0267. Roth, Blair, Roberts, Strasfeld & Lodge v. Wilkins.

Board of Tax Appeals, No. 2004-M-1092. On joint motion to vacate the order of the Board of Tax Appeals and remand the cause to the Tax Commissioner. Motion granted.

2006-0824. Bellville v. Kieffaber.

Richland App. No. 2005CA0061, 2005-Ohio-6879. On motion to clarify or correct the issue certified as in conflict by the court of appeals. Motion denied.

2006-0896. Barth v. Barth.

Cuyahoga App. No. 86473, 2006-Ohio-1094. On review of order certifying a conflict. The court determines that a conflict exists. The parties are to brief the issue stated in the court of appeals' Journal Entry filed April 11, 2006:

“Whether the sixth-month residency requirement for jurisdiction set forth in R.C. 3105.03 is a strict test or may a court examine one party's intent and the other party's fraudulent inducement in abandoning Ohio as their domicile.”

Moyer, C.J., Lundberg Stratton and Lanzinger, JJ., dissent.

The conflict cases are *McMaken v. McMaken* (1994), 96 Ohio App.3d 402, and *Heath v. Heath* (Mar. 7, 1997), Lucas App. No. L-96-288.

2006-1110. State v. Maddox.

Montgomery App. No. 21133, 2006-Ohio-2127. On review of order certifying a conflict. The court determines that a conflict exists. Sua sponte, cause held for the decision in 2006-0151, *State v. Carswell*, Warren App. No. CA2005-04-047, 2005-Ohio-6547; cause consolidated with 2006-1095, *State v. Maddox*, Montgomery App. No. 21133, 2006-Ohio-2127; and briefing schedule stayed.

2006-1130. State v. McKinley.

Logan App. No. 8-05-14, 2006-Ohio-2507. On review of order certifying a conflict. The court determines that a conflict exists. Sua sponte, cause held for the decision in 2006-0151, *State v. Carswell*, Warren App. No. CA2005-04-047, 2005-Ohio-6547; and briefing schedule stayed.

2006-1202. State v. Moncrief.

Cuyahoga App. No. 85479, 2005-Ohio-4812. On motion for leave to file delayed appeal. Motion denied.

2006-1206. State v. Bowerman.

Stark App. No. 2004CA00319, 2005-Ohio-6659. On motion for leave to file delayed appeal. Motion granted.

2006-1211. Allianz Global Risks US Ins. Co. v. Pub. Util. Comm.

Public Utilities Commission, Nos. 05-1011-EL-CSS and 05-1012-EL-CSS. On motions for admission pro hac vice of Christina L. Weeks, Daniel G. Galivan, and Jeffrey R. Learned by Leslie E. Wargo. Motions granted.

2006-1212. Arbino v. Johnson & Johnson.

Certified Question of State Law, United States District Court for the Northern District of Ohio, Western Division, No. 3:06 CV 40010. On review of preliminary memoranda pursuant to S.Ct.Prac.R. XVIII(6). The court will answer the following questions:

1. “Is Ohio Revised Code §2315.18, as amended by Senate Bill 80, effective, April 7, 2005, unconstitutional on the grounds as stated by the Plaintiffs?”

3. “Is Ohio Revised Code §2315.20, as amended by Senate Bill 80, effective, April 7, 2005, unconstitutional on the grounds as stated by the Plaintiffs?”

4. “Is Ohio Revised Code §2315.21, as amended by Senate Bill 80, effective, April 7, 2005, unconstitutional on the grounds as stated by the Plaintiffs?”

O’Connor, O’Donnell and Lanzinger, JJ., would also answer the second certified question.

Pfeifer, J., dissents.

Resnick, J., not participating.

On motion for admission pro hac vice of Robert S. Peck and Stephen B. Pershing by Janet G. Abaray. Motion granted.

2006-1216. State v. Shaffer.

Union App. No. 14-05-55, 2006-Ohio-2662. On review of order certifying a conflict. The court determines that a conflict exists. Sua sponte, cause held for the decision in 2006-0151, *State v. Carswell*, Warren App. No. CA2005-04-047, 2005-Ohio-6547; and briefing schedule stayed. Motion to consolidate denied.

2006-1253. State v. James.

Cuyahoga App. No. 85638, 2005-Ohio-5562. On motion for leave to file delayed appeal. Motion denied.

Pfeifer and O'Donnell, JJ., dissent.

2006-1353. O'Connor v. Trans World Servs., Inc.

Franklin App. No. 05AP-560, 2006-Ohio-2747. On motion for stay of court of appeals' judgment. Motion denied.

Moyer, C.J., and Lundberg Stratton, J., dissent.

2006-1382. State v. Gregorino.

Portage App. No. 2003-P-0071, 2004-Ohio-4698. On motion for stay of court of appeals' judgment. Motion denied.

Moyer, C.J., dissents.

2006-1389. State v. Large.

Portage App. No. 2005-P-0013, 2006-Ohio-3422. On motion to stay sentence and to continue bond. Motion denied.

APPEALS ACCEPTED FOR REVIEW

2006-0952. Vitantonio, Inc. v. Baxter.

Lake App. No. 2005-L-004, 2006-Ohio-1685.

Resnick, Pfeifer and Lanzinger, JJ., dissent.

2006-0957. Prouse, Dash & Crouch, LLP v. DiMarco.

Cuyahoga App. No. 86324, 2006-Ohio-1538.

O'Connor, O'Donnell and Lanzinger, JJ., dissent.

2006-0973. Cruz v. Cumba-Ortiz.

Cuyahoga App. No. 86572, 2006-Ohio-1362.

Pfeifer, Lundberg Stratton and O'Connor, JJ., dissent.

2006-1010. State v. Peterson.

Greene App. No. 2005 CA 44, 2006-Ohio-1816. Discretionary appeal accepted; cause held for the decision in 2006-0151, *State v. Carswell*, Warren App. No. CA2005-04-047, 2005-Ohio-6547; and briefing schedule stayed.

2006-1011. State v. Woullard.

Greene App. No. 2005 CA 61, 2006-Ohio-1804. Discretionary appeal accepted; cause held for the decision in 2006-0151, *State v. Carswell*, Warren App. No. CA2005-04-047, 2005-Ohio-6547; and briefing schedule stayed.

2006-1018. State v. Nance.

Allen App. No. 1-05-73, 2006-Ohio-1777. Discretionary appeal accepted; cause held for the decision in 2006-0875, *State v. Williams*, Allen App. No. 1-05-74, 2006-Ohio-1409; and briefing schedule stayed.

2006-1025. Norfolk S. Ry. Co. v. Bogle.

Cuyahoga App. No. 86339, 2006-Ohio-1540.
Resnick, Pfeifer and O'Donnell, JJ., dissent.

2006-1032. State v. Campbell.

Warren App. No. CA2005-06-069. Discretionary appeal accepted; cause held for the decision in 2006-0151, *State v. Carswell*, Warren App. No. CA2005-04-047, 2005-Ohio-6547; and briefing schedule stayed.

2006-1033. St. Marys v. Auglaize Cty. Bd. of Commrs.

Auglaize App. No. 2-05-17, 2006-Ohio-1773. Discretionary appeal accepted on Proposition of Law Nos. I, II, and III.

Moyer, C.J., Resnick and Lundberg Stratton, JJ., would also accept on all other Propositions of Law.

Pfeifer, O'Donnell and Lanzinger, JJ., dissent.

2006-1081. Acordia of Ohio, LLC v. Davis.

Hamilton App. No. C-050559.
Pfeifer and O'Donnell, JJ., dissent.

2006-1095. State v. Maddox.

Montgomery App. No. 21133, 2006-Ohio-2127. Discretionary appeal accepted; cause held for the decision in 2006-0151, *State v. Carswell*, Warren App. No. CA2005-04-047, 2005-Ohio-6547; cause consolidated with 2006-1110, *State v. Maddox*, Montgomery App. No. 21133, 2006-Ohio-2127; and briefing schedule stayed.

APPEALS NOT ACCEPTED FOR REVIEW

2006-0495. State v. Tomlinson.

Franklin App. No. 05AP-1291.

2006-0528. State v. Gray.

Greene App. No. 04CA129, 2006-Ohio-40.

2006-0667. Bowen v. Stewart.

Washington App. No. 05CA32, 2006-Ohio-831.

2006-0831. State v. Johnson.

Lucas App. No. L-05-1001, 2006-Ohio-1232. Discretionary appeal not accepted.
Motion to withdraw as counsel granted.

2006-0846. State v. Tenace.

Lucas App. No. L-05-1041, 2006-Ohio-1226.

2006-0891. Brown v. State.

Lucas App. No. L-05-1050, 2006-Ohio-1393.
Moyer, C.J., dissents.

2006-0906. Ealy v. McLin.

Montgomery App. No. 21320.

2006-0913. State v. Frazier.

Franklin App. No. 05AP-425, 2006-Ohio-1475.

2006-0914. Green v. State Bd. of Registration for Professional Engineers & Surveyors.

Greene App. No. 05CA121, 2006-Ohio-1581.
Resnick, J., dissents.

2006-0915. Griffiths v. Rose Ctr.

Stark App. No. 2005CA00256, 2006-Ohio-1573.
Resnick, J., dissents.

2006-0918. In re Estate of Szczotka.

Lake App. No. 2005-L-042, 166 Ohio App.3d 124, 2006-Ohio-1449.
Lundberg Stratton and O'Connor, JJ., dissent.

2006-0920. State v. Davenport.

Montgomery App. No. 21535.

2006-0923. State v. Sommerfield.

Union App. No. 14-05-23, 2006-Ohio-1420.
O'Donnell and Lanzinger, JJ., dissent.

- 2006-0926. State v. Johnson.**
Cuyahoga App. No. 86531, 2006-Ohio-1090.
- 2006-0928. State v. Gibson-Sweeney.**
Lake App. No. 2005-L-086, 2006-Ohio-1691.
Pfeifer and O'Donnell, JJ., dissent.
- 2006-0933. State v. Rawlins.**
Scioto App. No. 05CA3012, 2006-Ohio-1901.
- 2006-0935. Musick v. Dutta.**
Jackson App. No. 05CA14, 2006-Ohio-1769.
Lundberg Stratton, J., dissents.
- 2006-0936. State v. Love.**
Mahoning App. No. 02 CA 245, 2006-Ohio-1762.
Pfeifer, J., dissents.
- 2006-0940. Kirtland Hills v. Strogin.**
Lake App. No. 2005-L-073, 2006-Ohio-1450.
Resnick, J., dissents.
- 2006-0941. Ohio Farm Bur. Fedn., Inc. v. Amos.**
Ashland App. No. 05 COA 031, 2006-Ohio-1512.
Resnick and Pfeifer, JJ., dissent.
O'Donnell, J., not participating.
- 2006-0942. State v. Myers.**
Darke App. No. 1643, 2006-Ohio-1604.
- 2006-0943. State v. Snipes.**
Lorain App. No. 06CA008898.
- 2006-0946. State v. Sabo.**
Franklin App. No. 04AP-1114, 2006-Ohio-1521.
- 2006-0947. Gralewski v. Ohio Bur. of Workers' Comp.**
Franklin App. No. 05AP-604, 2006-Ohio-1529.
Resnick, J., dissents.

2006-0950. State v. Heilman.

Trumbull App. Nos. 2004-T-0133 and 2004-T-0135, 2006-Ohio-1680.
O'Connor, J., not participating.

2006-0951. State v. Wilson.

Tuscarawas App. No. 2005AP010001, 2006-Ohio-1672.

2006-0954. Hinkle v. Columbus.

Franklin App. No. 04AP-1195, 2006-Ohio-1522.

2006-0956. Salmon v. Salmon.

Summit App. No. 22745, 2006-Ohio-1557.

2006-0958. In re McLoughlin v. McLoughlin.

Franklin App. No. 05AP-621, 2006-Ohio-1530.
Pfeifer, J., dissents.

2006-0961. State v. Hall.

Franklin App. No. 06AP-211.

2006-0966. Donegal Mut. Ins. v. White Consol. Industries, Inc.

Darke App. No. 1657, 2006-Ohio-1586.

2006-0968. Marbury v. Shaengold.

Montgomery App. No. 21120, 2006-Ohio-1814.

2006-0969. State v. Clark.

Delaware App. No. 05CAA05025, 2006-Ohio-1755.

2006-0972. State v. Dovala.

Lorain App. No. 05CA008767.

2006-0975. State v. Ellison.

Hamilton App. No. C-060219.

2006-0979. State v. Vernon.

Lake App. No. 2006-L-007, 2006-Ohio-2151.

2006-0983. Tihansky v. Weston, Hurd, Fallon, Paisley & Howley, L.L.P.

Cuyahoga App. No. 86536, 2006-Ohio-1359.

O'Connor, J., dissents.

2006-0990. Akron v. Belford.

Summit App. No. 22906, 2006-Ohio-1033. Discretionary appeal not accepted.
Motion to dismiss appeal denied as moot.

2006-0991. Boyd v. Cuyahoga Metro. Hous. Auth.

Cuyahoga App. No. 87682.

2006-0992. State v. Smith.

Wayne App. No. 06CA0020.

2006-0996. Clark v. Marc Glassman, Inc.

Cuyahoga App. No. 86190, 2006-Ohio-1335.
Resnick, J., dissents.

2006-0997. Bd. of the State Teachers Retirement Sys. of Ohio v. Medco Health Solutions, Inc.

Hamilton App. No. C-060196.
O'Donnell, J., dissents.
Resnick, J., not participating.

2006-0998. Tenable Protective Servs., Inc. v. Catholic Charities Health & Human Servs.

Cuyahoga App. No. 86699, 2006-Ohio-1737.

2006-0999. Jeavons v. Werner Ents., Inc.

Ashland App. No. 2004-COA-087, 2006-Ohio-1754.
Resnick and Pfeifer, JJ., dissent.

2006-1002. Bd. of the State Teachers Retirement Sys. of Ohio v. Medco Health Solutions, Inc.

Hamilton App. No. C-060197.
O'Donnell, J., dissents.
Resnick, J., not participating.

2006-1006. State v. Hill.

Muskingum App. No. CT2004-0047, 2006-Ohio-2565.

2006-1008. State v. McCoy.

Hamilton App. No. C-050746.

2006-1009. State v. Messer.

Clermont App. No. CA2006-02-014.

2006-1016. State v. Love.

Ross App. No. 05CA2838, 2006-Ohio-1824.

2006-1017. Reinglass v. Morgan Stanley Dean Witter, Inc.

Cuyahoga App. No. 86407, 2006-Ohio-1542.

Pfeifer, J., dissents.

O'Donnell, J., not participating.

2006-1020. State v. Ridenour.

Miami App. No. 2003 CA 7, 2004-Ohio-78.

2006-1021. State v. Thompson.

Allen App. No. 1-05-34, 2006-Ohio-2004.

2006-1023. State v. Korman.

Lake App. No. 2004-L-064, 2006-Ohio-1795.

2006-1028. State v. Finkbine.

Warren App. No. CA2005-06-068, 2006-Ohio-1788.

2006-1030. Stafford v. Aces & Eights Harley-Davidson, LLC.

Warren App. No. CA2005-06-070, 2006-Ohio-1780.

2006-1031. Johnson v. Marc Glassman, Inc.

Lake App. No. 2005-L-107, 2006-Ohio-1790.

2006-1035. Marino v. Advantage Mgt. Group, Inc.

Stark App. No. 2005CA00149, 2006-Ohio-1853.

2006-1037. State v. Rittner.

Fulton App. No. F-06-006.

Lanzinger, J., not participating.

2006-1039. State v. Zax-Harris.

Montgomery App. No. 21207, 2006-Ohio-1855.

Lundberg Stratton, J., dissents.

2006-1040. ABN AMRO Mtge. Group, Inc. v. Wert.

Morrow App. No. 05 CA 1, 2006-Ohio-1850.

Pfeifer, J., dissents.

2006-1046. State v. Lopez.

Hamilton App. No. C-050088, 166 Ohio App.3d 337, 2006-Ohio-2091.

2006-1048. Barth v. Barth.

Cuyahoga App. No. 86473, 2006-Ohio-1094.

Resnick, O'Connor and Lanzinger, JJ., dissent.

2006-1051. State v. Truitt.

Hamilton App. No. C-050188.

2006-1056. State v. Sapper.

Summit App. No. 22927, 2006-Ohio-2284.

2006-1058. State v. Joy.

Stark App. No. 2005CA00235, 2006-Ohio-1923.

Resnick and O'Connor, JJ., dissent.

2006-1064. Miller v. KeyBank Natl. Assn.

Cuyahoga App. No. 86327, 2006-Ohio-1725.

Pfeifer, J., dissents.

Resnick, J., not participating.

2006-1067. State v. Smith.

Montgomery App. No. 21058, 2006-Ohio-2365.

2006-1082. State v. Tackett.

Clark App. No. 2006 CA 33.

2006-1083. State v. Freeman.

Cuyahoga App. No. 86463, 2006-Ohio-1950.

2006-1089. State v. Curren.

Morrow App. No. 04 CA 8, 2005-Ohio-4315.

2006-1090. State v. Bluford.

Cuyahoga App. No. 86695, 2006-Ohio-2217.

2006-1092. State v. Hand.

Delaware App. No. 05CAA060040, 2006-Ohio-2028.

O'Connor, J., not participating.

2006-1102. State v. Andrews.

Butler App. No. CA2005-04-088, 2006-Ohio-2021.

2006-1108. State v. Meyer.

Clermont App. No. CA2006-03-024.

2006-1111. State v. Gordon.

Cuyahoga App. No. 86562, 2006-Ohio-1732.

Resnick and O'Donnell, JJ., dissent.

2006-1144. State v. Hill.

Muskingum App. No. CT2004-0047, 2006-Ohio-2565.

2006-1150. State v. Parks.

Carroll App. No. 04 CA 803, 2005-Ohio-6926.

2006-1200. In re Thornton Children.

Tuscarawas App. No. 2006AP010003, 2006-Ohio-2519.

Resnick and Pfeifer, JJ., dissent.

2006-1235. State v. Keith.

Cuyahoga App. No. 83686, 2004-Ohio-5731.

2006-1287. State v. Smith.

Clark App. No. 2003 CA 93, 2004-Ohio-6062.

2006-1290. In re E.W.

Franklin App. Nos. 05AP-1088, 05AP-1089, 05AP-1090 and 05AP-1091, 2006-Ohio-2609.

2006-1334. In re Cassandra M.

Wood App. No. WD-05-097, 2006-Ohio-2767.

RECONSIDERATION OF PRIOR DECISIONS

2006-0582. E.B. v. T.J.

Cuyahoga App. No. 86399, 2006-Ohio-441. Reported at 109 Ohio St.3d 1507, 2006-Ohio-2998, 849 N.E.2d 1028. On motion for reconsideration. Motion denied.

2006-0608. State v. Scruggs.

Hamilton App. No. C-040614. Reported at 109 Ohio St.3d 1508, 2006-Ohio-2998, 849 N.E.2d 1028. On motion for reconsideration. Motion denied.

2006-0653. Architectural Interior Prod., Inc. v. Miarer Transp., Inc.

Muskingum App. No. CT2005-0052, 2006-Ohio-824. Reported at 109 Ohio St.3d 1508, 2006-Ohio-2998, 849 N.E.2d 1029. On motion for reconsideration. Motion for reconsideration denied. Motion to strike motion for reconsideration denied as moot.

2006-0728. State v. Lohmeyer.

Lucas App. No. L-05-1059. Reported at 109 Ohio St.3d 1508, 2006-Ohio-2998, 849 N.E.2d 1029. On motion for reconsideration. Motion denied.

2006-0795. State ex rel. Grundstein v. Greene.

In Mandamus and Prohibition. Reported at 109 Ohio St.3d 1504, 2006-Ohio-2998, 849 N.E.2d 1026. On motion for reconsideration. Motion denied. Motion to resubmit denied.