

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

May 8, 2013

[Cite as *05/08/2013 Case Announcements, 2013-Ohio-1857.*]

MERIT DECISIONS WITHOUT OPINIONS

2012-0745. Zeune v. Bender.

In Mandamus. On motions to dismiss and motion for judgment on the pleadings. Motions granted. Cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

2013-0311. State ex rel. Walker v. Ninth Dist. Court of Appeals.

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

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

2013-0325. State ex rel. McGee v. Judges of the Eighth Dist. Court of Appeals.

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

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

2013-0329. State ex rel. Cuyahoga Metro. Hous. Auth. v. Ferguson.

In Mandamus and Prohibition. On answer of respondents. On S.Ct.Prac.R. 12.04 determination, cause dismissed.

O'Connor, C.J., and Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

2013-0336. State ex rel. Redding v. Gallagher.

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

2013-0493. Hauser v. Dayton Police Dept.

Montgomery App. No. 24965, 2013-Ohio-11. On review of order certifying a conflict. The court determines that a conflict exists. The parties are to brief the issue stated at page 3 of the court of appeals' entry filed March 19, 2013:

“Whether civil liability is expressly imposed upon managers or supervisors under R.C. 4112.01(A)(2) for their individual violations of R.C. 4112.02(A) so that political subdivision employee immunity is lifted by R.C. 2744.03(A)(6)(c).”

Pfeifer and O'Donnell, JJ., dissent.

The conflict case is *Campolieti v. Cleveland*, 184 Ohio App.3d 419, 2009-Ohio-5224, 921 N.E.2d 286 (8th Dist.)

Sua sponte, cause consolidated with 2013-0291, *Hauser v. Dayton Police Dept.*, 2d Dist. No. 24965, 2013-Ohio-11.

2013-0501. State v. Woods.

Hamilton App. Nos. C-120853, C-120859, and C-110614. On motion for delayed appeal. Motion denied.

APPEALS ACCEPTED FOR REVIEW

2013-0186. State v. Codeluppi.

Lorain App. No. 11CA010133, 2012-Ohio-5812. Discretionary appeal accepted on Proposition of Law No. I.

O'Connor, C.J., and Lanzinger and O'Neill, JJ., would also accept the appeal on Proposition of Law No. II.

Pfeifer and O'Donnell, JJ., dissent.

2013-0291. Hauser v. Dayton Police Dept.

Montgomery App. No. 24965, 2013-Ohio-11. Discretionary appeal accepted and cause consolidated with 2013-0493, *Hauser v. Dayton Police Dept.*, 2d Dist. No. 24965, 2013-Ohio-11.

O'Connor, C.J., and Pfeifer and O'Donnell, JJ., dissent.

APPEALS NOT ACCEPTED FOR REVIEW

2012-0119. State v. Group.

Mahoning App. No. 10 MA 21, 2011-Ohio-6422.

2012-0519. State v. Lawson.
Clermont App. No. CA2011-07-056, 2012-Ohio-548.
Pfeifer, J., dissents.

2012-1797. State v. Petkovic.
Cuyahoga App. No. 97548, 2012-Ohio-4050.
O'Neill, J., dissents.

2012-2052. State v. Branham.
Hamilton App. No. C-120187.

2012-2064. Mindlin v. Zell.
Franklin App. No. 11AP-983, 2012-Ohio-3543. Discretionary appeal not
accepted. Motion for stay denied as moot.
French, J., not participating.

2013-0012. ATS Inst. of Technology v. Ohio Bd. of Nursing.
Franklin App. No. 12AP-385, 2012-Ohio-6030.
French, J., not participating.

2013-0018. Marion Forum, L.L.C. v. Lynick Ents., Inc.
Marion App. No. 9-12-13, 2012-Ohio-5947.

2013-0052. Pietrick v. Westlake.
Cuyahoga App. No. 98258, 2012-Ohio-6009.
O'Donnell and Lanzinger, JJ., dissent.

2013-0185. McCarthy v. Charter One Bank, F.S.B.
Summit App. Nos. 25894, 25909, and 25912, 2012-Ohio-4030.

2013-0187. State v. Rose.
Butler App. No. CA2012-03-050, 2012-Ohio-5957.

2013-0188. Jenkins v. State Farm Fire & Cas. Co.
Perry App. No. 12-CA-5, 2012-Ohio-6076.
Pfeifer, J., dissents.

2013-0190. Perez Bar & Grill v. Schneider.
Lorain App. No. 11CA010076, 2012-Ohio-5820.