

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

February 11, 2004

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### MERIT DECISIONS WITH OPINIONS

**2002-1261. Dairy Farmers of Am., Inc. v. Wilkins, 2004-Ohio-321.**

Board of Tax Appeals, No. 01-M-378. Decision affirmed in part, reversed in part and cause remanded.

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

**2002-1262. Farmers Dairy Foods, Inc. v. Wilkins, 2004-Ohio-321.**

Board of Tax Appeals, No. 97-R-167. Decision affirmed in part, reversed in part and cause remanded.

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

**2002-1488. Yajnik v. Akron Dept. of Health, Hous. Div., 2004-Ohio-357.**

Summit App. No. 20844, 2002-Ohio-3501. Judgment reversed and cause remanded.

Moyer, C.J., Resnick, F.E. Sweeney and O'Connor, JJ., concur.

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

**2002-1525. Columbus City School Dist. Bd. of Edn. v. Wilkins, 2004-Ohio-296.**

Board of Tax Appeals, No. 99-G-703. Decision affirmed.

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

**2002-1663. Harden v. Ohio Atty. Gen., 2004-Ohio-382.**

Franklin App. No. 01AP-1156, 149 Ohio App.3d 10, 2002-Ohio-4291. Judgment affirmed.

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

Resnick, J., concurs in judgment.

Pfeifer, J., dissents.

**2002-1685. Dairy Farmers of Am., Inc. v. Wilkins, 2004-Ohio-321.**

Board of Tax Appeals, No. 98-P-366. Decision affirmed.

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

**2002-1792. State v. Perry, 2004-Ohio-297.**

Franklin App. No. 01AP-996, 2002-Ohio-4545. Judgment reversed and cause remanded.

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

**2002-2095. Gentry v. Craycraft, 2004-Ohio-379.**

Montgomery App. No. 19262, 2002-Ohio-5822. Judgment reversed.

Moyer, C.J., Resnick, F.E. Sweeney, Lundberg Stratton, O'Connor and O'Donnell, JJ., concur.

Pfeifer, J., dissents.

**2003-0629. State ex rel. Saunders v. Indus. Comm., 2004-Ohio-339.**

In Mandamus. Writ denied.

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

**2003-1195. Toledo Bar Assn. v. DiLabbio, 2004-Ohio-338.**

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 02-84.

Larry DiLabbio, Attorney Registration No. 0021890, suspended from the practice of law for six months, stayed on conditions.

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

**2003-1511. Washington v. Tyson-Parker, 2004-Ohio-298.**

Lorain App. No. 03CA008301. Judgment affirmed.

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

**2003-1520. Cammon v. Brigano, 2004-Ohio-316.**

Warren App. No. CA2003-04-052. Judgment affirmed.

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

**2003-1530. Disciplinary Counsel v. Grdina, 2004-Ohio-299.**

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 01-36.

Michael F. Grdina, Attorney Registration No. 0038399, is suspended from the practice of law for two years with one year stayed on condition.

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

**2003-1531. Cleveland Bar Assn. v. Fox, 2004-Ohio-300.**

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 02-57.

John P. Fox, Attorney Registration No. 0031742, is suspended from the practice of law for eighteen months with twelve months stayed on conditions.

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

**2003-1545. State ex rel. Kralik v. Zwelling, 2004-Ohio-301.**

Muskingum App. No. CT030034. Judgment reversed and cause remanded.

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

**2003-1809. Disciplinary Counsel v. Mezacapa, 2004-Ohio-302.**

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 03-39.

Victor Anthony Mezacapa, Attorney Registration No. 0052023, is publicly reprimanded.

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

**2003-1810. Cuyahoga Cty. Bar Assn. v. Sherman, 2004-Ohio-340.**

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 03-23.

Dennis H. Sherman, Attorney Registration No. 0003620, is suspended from the practice of law for six months, stayed on condition.

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