

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

December 17, 2009

[Cite as *12/17/2009 Case Announcements, 2009-Ohio-6629.*]

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## MERIT DECISIONS WITH OPINIONS

**2009-0076 and 2009-0578. State v. Smith, Slip Opinion No. 2009-Ohio-6539.**

Montgomery App. Nos. 21463 and 22334, 2008-Ohio-6330. Certified question answered in the negative and judgment affirmed.

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

**2009-0089. State v. Briscoe, Slip Opinion No. 2009-Ohio-6540.**

Cuyahoga App. No. 89979, 2008-Ohio-6276. Judgment affirmed.

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

**2009-0239. State v. Jackson, Slip Opinion No. 2009-Ohio-6541.**

Lucas App. No. L-07-1281, 2008-Ohio-6805. Judgment affirmed.

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

**2009-0362. State v. Lucas, Slip Opinion No. 2009-Ohio-6545.**

Stark App. No. 2007CA00292, 2009-Ohio-19. Judgment affirmed.

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

**2009-0402. State v. Lee, Slip Opinion No. 2009-Ohio-6544.**

Van Wert App. No. 15-08-06, 180 Ohio App.3d 739, 2009-Ohio-299. Judgment affirmed.

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

**2009-0610. State v. Gilbert, Slip Opinion No. 2009-Ohio-6543.**

Cuyahoga App. No. 90615, 2009-Ohio-463. Judgment affirmed and cause remanded to the court of appeals.

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

**2009-0699. State v. Samples, Slip Opinion No. 2009-Ohio-6542.**

Stark App. No. 2008 CA 00027, 2009-Ohio-1043. Judgment affirmed.

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

**2009-1235. State v. Freeman, Slip Opinion No. 2009-Ohio-6538.**

Mahoning App. No. 08 MA 81, 2009-Ohio-3052. Certified conflict recognized and answered, and judgment reversed.

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

Lanzinger, J., dissents.

## **MERIT DECISIONS WITHOUT OPINIONS**

**2009-2183. State ex rel. Polaris Innkeepers, L.L.C. v. Westerville.**

In Mandamus. On S.Ct.Prac.R. X(5) determination and respondent's motion for judgment on the pleadings. Motion for judgment on the pleadings granted. Cause dismissed.

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

Pfeifer, J., dissents.

## **MOTION AND PROCEDURAL RULINGS**

**In re Bozsik.**

On June 4, 2008, this court found Steven A. Bozsik to be a vexatious litigator under S.Ct.Prac.R. XIV(5)(B). This court further ordered that Bozsik was prohibited from continuing or instituting legal proceedings in this court without first obtaining leave. On December 11, 2009, Bozsik submitted an application for leave of court to commence an original action in mandamus. Upon consideration thereof,

It is ordered by the court that Steven A. Bozsik's December 11, 2009, application for leave is denied.

**In re Howard.**

On September 24, 2004, this court found Gregory T. Howard to be a vexatious litigator under S.Ct.Prac.R. XIV(5)(B). This court further ordered that Howard was prohibited from continuing or instituting legal proceedings in the court without obtaining leave. On December 15, 2009, Howard presented an application for leave to file a complaint for writ of mandamus/procedendo in the Supreme Court of Ohio against respondent Supreme Court of Ohio and to remove his vexatious label, instantner. Upon consideration thereof,

It is ordered by the court that Gregory T. Howard's application for leave is denied.

**2009-2068. State ex rel. Hamilton Cty. Bd. of Commrs. v. Hamilton Cty. Court of Common Pleas.**

In Prohibition. This cause originated in this court on the filing of a complaint for a writ of prohibition. Upon consideration of Hamilton County Prosecuting Attorney Joseph T. Deters' motion for leave to intervene as respondent,

It is ordered by the court that the motion for leave to intervene is granted. The answer and motion for judgment on the pleadings that is attached to the motion for leave to intervene is deemed filed.

Relator shall file a response to the motion for judgment on the pleadings, which is attached to the intervening respondent's motion for leave to intervene, within ten days of the date of this entry.