

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

February 19, 2009

[Cite as *02/19/2009 Case Announcements, 2009-Ohio-717.*]

MERIT DECISIONS WITH OPINIONS

2008-0367. Ohio Consumers' Counsel v. Pub. Util. Comm., Slip Opinion No. 2009-Ohio-604.

Public Utilities Commission, Nos. 03-93-EL-ATA, 03-2079-EL-AAM, 03-2081-EL-AAM, and 03-2080-EL-ATA. Appeal dismissed in part and order affirmed.

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

Pfeifer, J., dissents.

2008-0466. Ohio Consumers' Counsel v. Pub. Util. Comm., Slip Opinion No. 2009-Ohio-605.

Public Utilities Commission, Nos. 05-724-EL-UNC, 05-725-EL-UNC, 06-1068-EL-UNC, 06-1069-EL-UNC, and 06-1085-EL-UNC. Cause dismissed as moot.

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

MOTION AND PROCEDURAL RULINGS

2008-0418. State v. Akron.

Summit App. No. 23660, 2008-Ohio-38. This cause is pending before the court as an appeal from the Court of Appeals for Summit County. Upon consideration of appellants' motion for leave to file an affidavit correcting a statement in oral argument,

It is ordered by the court that the motion is granted. Ryan J. Lemmerbrock shall file his affidavit within ten days from the date of this entry. No response to the affidavit is permitted.

2008-0905. Alexander v. Wells Fargo Fin. Ohio 1, Inc.

Cuyahoga App. No. 89277, 2008-Ohio-1402. This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County. Upon consideration of the motion for continuance of oral argument of American General Financial Services, Inc. scheduled for March 24, 2009,

It is ordered by the court that the motion is denied.

2008-1009. Coleman v. Am. Gen. Fin. Servs.

Cuyahoga App. No. 89311, 2008-Ohio-1403. This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County. Upon consideration of the motion for continuance of oral argument of American General Financial Services, Inc. scheduled for March 24, 2009,

It is ordered by the court that the motion is denied.

2008-2133. State v. Underwood.

Montgomery App. No. 22454, 2008-Ohio-4748. This cause is pending before the court as an appeal from the Court of Appeals for Montgomery County. Upon consideration of appellee's motion for appointment of the Office of the Ohio Public Defender as counsel,

It is ordered by the court that the motion is granted.

2008-2228. State v. Underwood.

Montgomery App. No. 22454, 2008-Ohio-4748. This cause is pending before the court on the certification of a conflict by the Court of Appeals for Montgomery County. Upon consideration of appellee's motion for appointment of the Office of the Ohio Public Defender as counsel,

It is ordered by the court that the motion is granted.

DISCIPLINARY CASES

2006-1590. Cuyahoga Cty. Bar Assn. v. Rutherford.

It is ordered by this court, sua sponte, that Guy D. Rutherford, Attorney Registration No. 0066032, last known business address in Cleveland, Ohio, is found in contempt for failure to comply with this court's order of July 10, 2008, to wit: failure to file an affidavit of compliance on or before August 11, 2008.

MISCELLANEOUS DISMISSALS

2008-1580. State ex rel. Parker v. Lucas Cty. Job & Family Servs.

Lucas App. No. L-07-1399, 176 Ohio App.3d 715, 2008-Ohio-3274. This cause is pending before the court as an appeal from the Court of Appeals for Lucas County. Upon consideration of appellant's application for dismissal,

It is ordered by the court that the application for dismissal is granted. Accordingly, this cause is dismissed.