

# FOURTH DISTRICT COURT OF APPEALS CASE ASSIGNMENTS

Presiding Judge Jason P. Smith  
Administrative Judge Michael D. Hess  
Judge Peter B. Abele  
Judge Kristy S. Wilkin

Cases **submitted on the briefs** are listed in the **first** table below and are assigned to a panel throughout the month.

Cases **scheduled for oral argument** are listed in the **second** table below and the parties and/or counsel have been notified by Magistrate’s Order.

Arguments begin promptly at **9:30 a.m.**, unless otherwise noted. Panels and/or hearing dates are subject to change.

Information concerning oral argument location is listed underneath the oral argument scheduling table.

Questions or concerns should be directed to the Court.

## CASES SUBMITTED ON BRIEFS

| COUNTY        | CASE NUMBER            | CASE NAME             | ASSIGNMENT DATE | PANEL                |
|---------------|------------------------|-----------------------|-----------------|----------------------|
| <b>ADAMS</b>  |                        |                       |                 |                      |
| Adams         | 21CA1135               | State v. Tolle        | August 2, 2021  | Abele, Smith, Wilkin |
| Adams         | 21CA1145               | State v. Schumacher   | March 14, 2022  | Hess, Smith, Wilkin  |
| Adams         | 21CA1151               | State v. Poole        | May 16, 2022    | Abele, Hess, Smith   |
| Adams         | 21CA1142               | Morlatt v. Johnson    | June 2, 2022    | Hess, Smith, Wilkin  |
| Adams         | 21CA1149 &<br>21CA1150 | State v. Helterbridle | June 27, 2022   | Hess, Smith, Wilkin  |
| <b>ATHENS</b> |                        |                       |                 |                      |
| Athens        | 21CA12                 | Neckles v. Ruthrauff  | May 2, 2022     | Abele, Hess, Smith   |
| Athens        | 21CA13                 | State v. Barnhart     | March 21, 2022  | Abele, Hess, Smith   |
| Athens        | 21CA14                 | State v. Bolen        | April 4, 2022   | Hess, Smith, Wilkin  |
| Athens        | 21CA15                 | State v. Sims         | June 13, 2022   | Abele, Smith, Wilkin |

| <b>GALLIA</b>   |                    |                                       |                    |                      |
|-----------------|--------------------|---------------------------------------|--------------------|----------------------|
| Gallia          | 21CA4              | State v. Halfhill                     | May 2, 2022        | Hess, Smith, Wilkin  |
| Gallia          | 21CA10             | State v. Drennen                      | May 16, 2022       | Hess, Smith, Wilkin  |
| Gallia          | 21CA12             | State v. Latapie                      | April 4, 2022      | Hess, Smith, Wilkin  |
| Gallia          | 21CA13             | Ehman v. Harvey                       | June 27, 2022      | Abele, Smith, Wilkin |
| <b>HIGHLAND</b> |                    |                                       |                    |                      |
| Highland        | 20CA10             | State v. Carter                       | August 2, 2021     | Hess, Smith, Wilkin  |
| <b>HOCKING</b>  |                    |                                       |                    |                      |
| Hocking         | 21CA6              | In the Matter of: E.H.<br>(PRIORITY)  | April 14, 2022     | Abele, Hess, Smith   |
| Hocking         | 21CA7              | Cullimore v.<br>Cullimore             | March 14, 2022     | Hess, Smith, Wilkin  |
| <b>JACKSON</b>  |                    |                                       |                    |                      |
| Jackson         | 20CA7              | State v. Mirkin                       | June 14, 2021      | Abele, Smith, Wilkin |
| <b>LAWRENCE</b> |                    |                                       |                    |                      |
| Lawrence        | 19CA20 &<br>19CA21 | State v. Hodge                        | September 13, 2021 | Abele, Smith, Wilkin |
| <b>MEIGS</b>    |                    |                                       |                    |                      |
| Meigs           | 21CA5              | York v. York                          | March 21, 2022     | Hess, Smith, Wilkin  |
| Meigs           | 22CA1              | State v. Lemasters                    | May 16, 2022       | Hess, Smith, Wilkin  |
| Meigs           | 21CA2              | State v. King                         | June 16, 2022      | Abele, Hess, Wilkin  |
| Meigs           | 22CA2              | State v. Caldwell                     | June 27, 2022      | Abele, Hess, Wilkin  |
| <b>PICKAWAY</b> |                    |                                       |                    |                      |
| Pickaway        | 21CA15             | McNichols v. Gouge<br>Quality Roofing | February 14, 2022  | Abele, Hess, Smith   |
| <b>PIKE</b>     |                    |                                       |                    |                      |
| <b>ROSS</b>     |                    |                                       |                    |                      |
| Ross            | 21CA3741           | State v. Cremeans                     | December 6, 2021   | Abele, Smith, Wilkin |
| Ross            | 21CA3752           | State v. Imboden                      | April 4, 2022      | Hess, Smith, Wilkin  |
| Ross            | 21CA3758           | State v. Brown                        | May 2, 2022        | Abele, Smith, Wilkin |

| <b>SCIOTO</b>     |                   |                                   |                   |                      |
|-------------------|-------------------|-----------------------------------|-------------------|----------------------|
|                   |                   |                                   |                   |                      |
| Scioto            | 20CA3926          | State v. Heid                     | October 4, 2021   | Abele, Smith, Wilkin |
| Scioto            | 21CA3943          | State v. Carver                   | March 17, 2022    | Abele, Smith, Wilkin |
| Scioto            | 22CA3976          | State v. Jewett                   | June 13, 2022     | Abele, Hess, Smith   |
| Scioto            | 21CA3962          | State v. Tingler                  | June 13, 2022     | Abele, Hess, Wilkin  |
| Scioto            | 22CA3978          | State v. Queen                    | June 13, 2022     | Hess, Smith, Wilkin  |
| Scioto            | 21CA3972          | State v. Rexroad                  | June 27, 2022     | Abele, Smith, Wilkin |
|                   |                   |                                   |                   |                      |
| <b>VINTON</b>     |                   |                                   |                   |                      |
|                   |                   |                                   |                   |                      |
| <b>WASHINGTON</b> |                   |                                   |                   |                      |
|                   |                   |                                   |                   |                      |
| Washington        | 21CA2             | State v. Tolbert                  | November 22, 2021 | Abele, Hess, Smith   |
| Washington        | 21CA13            | Huffman v. Huffman                | January 3, 2022   | Abele, Smith, Wilkin |
| Washington        | 21CA6             | State v. Gray                     | February 14, 2022 | Abele, Hess, Wilkin  |
| Washington        | 21CA3 &<br>21CA4  | State v. Harvey                   | March 21, 2022    | Abele, Hess, Smith   |
| Washington        | 21CA16            | State v. Wells                    | May 16, 2022      | Abele, Hess, Smith   |
| Washington        | 21CA20            | In the Mtr of: E.J.C.<br>PRIORITY | May 11, 2022      | Abele, Smith, Wilkin |
| Washington        | 21CA19 &<br>22CA7 | In the Matter of:<br>A.R.W.       | June 13, 2022     | Abele, Hess, Wilkin  |
|                   |                   |                                   |                   |                      |

## 2022 ORAL ARGUMENT SCHEDULE

| DATE        | COUNTY/LOCATION                         | CASE COUNTY/NUMBER/NAME  | PANEL                   |
|-------------|---|--|-------------------------|
| Feb 10      | Adams<br>Common Pleas<br>Courtroom      | Scioto 21CA3948 – Bennett v. Ohio Dept. of Education<br>Scioto 21CA3959 – Pertuset, et al. v. Hull, et al.<br>Adams 21CA1128 – McCann v. Webb<br>Adams 21CA1140 – State v. Brodt | Abele, Smith,<br>Wilkin |
| Feb 17      | Highland<br>Common Pleas<br>Courtroom   | <b>CANCELED</b>  | Abele, Hess,<br>Wilkin  |
| March<br>10 | Athens<br>Common Pleas<br>Courtroom     | Adams 21CA1140 – State v. Brodt<br>Hocking 21CA8 – State v. Dixon<br>Scioto 21CA3956 – State v. Gavin  | Abele, Hess,<br>Smith   |
| March<br>17 | Scioto<br>Common Pleas<br>Courtroom     | Jackson 21CA8 – Addison Holdings, LLC, et al. v. Fox, Byrd &<br>Company, PC, et al.<br>Adams 21CA1138 – State v. Ruggles   | Abele, Smith,<br>Wilkin |
| March<br>24 | Pickaway<br>Common Pleas<br>Courtroom   | Ross 21CA3744 – State v. Cremeans<br>Pickaway 21CA12 - Chuma v. Patterson<br>Scioto 21CA3950 – State v. Bertram<br>Gallia 21CA11 – Altizer v. Arbors of Gallipolis, et al.       | Abele, Smith,<br>Wilkin |
| April 14    | Ross<br>Common Pleas<br>Courtroom       | <b>CANCELED</b>  | Abele, Hess,<br>Smith   |
| April 21    | Lawrence<br>Common Pleas<br>Courtroom   | Scioto 21CA3951 – State v. Torres<br>Scioto 21CA3970 – Kerns v. Hale, et al.<br>Lawrence 21CA11 – State v. Howard  | Abele, Hess,<br>Wilkin  |
| April 28    | Washington<br>Common Pleas<br>Courtroom | <b>CANCELED</b>  | Hess, Smith,<br>Wilkin  |
| May 5       | Ross<br>Common Pleas<br>Courtroom       | Ross 21CA3742 – State v. Chapman<br>Scioto 21CA3965 – State v. Harper<br>Scioto 21CA3969 – State v. Allen  | Abele, Hess,<br>Smith   |
| May 12      | Athens<br>Common Pleas<br>Courtroom     | <b>CANCELED</b>  | Abele, Hess,<br>Wilkin  |
| May 19      | Meigs<br>Common Pleas<br>Courtroom      | <b>CANCELED</b>  | Abele, Smith,<br>Wilkin |
| June 2      | Scioto<br>Court of Appeals<br>Courtroom | Adams 21CA1142 – Morlatt, et al. v. Johnson, et al.<br>Ross 21CA3756 – State v. Moore<br>Ross 21CA3751 – State v. Bennett<br>Highland 21CA17 – State v. Ludwick                  | Hess, Smith,<br>Wilkin  |
| June 9      | Jackson<br>Common Pleas<br>Courtroom    | Pickaway 21CA13 – Hughey v. Hughey<br>Hocking 21CA14 – Hinerman v. Savant Systems, Inc., et al.<br>Hocking 22CA2 – State of Ohio, ex rel. Yost v. Anthony, et al.                | Abele, Hess,<br>Smith   |

|         |   |   |                               |
|---------|---|---|-------------------------------|
| June 16 | Ross<br>Common Pleas<br>Courtroom       | Ross 21CA3761 – State v. Pine<br>Lawrence 21CA15 & 21CA16 – State v. Stevens<br>Pickaway 21CA19 – Lankford, et al. v. Weller as Executor of the<br>Estate of Edwin D. Hammond, Deceased, et al.<br>Pickaway 21CA7 – Teays Valley Local School District Board of<br>Education v. Struckman | Abele, Hess,<br>Wilkin, Smith |
| July 7  | Athens<br>Common Pleas<br>Courtroom     |   | Hess, Smith,<br>Wilkin        |
| July 14 | Scioto<br>Common Pleas<br>Courtroom     |   | Hess, Smith,<br>Wilkin        |
| July 21 | Hocking<br>Common Pleas<br>Courtroom    |   | Hess, Smith,<br>Wilkin        |
| Aug 4   | Lawrence<br>Common Pleas<br>Courtroom   |   | Smith, Hess,<br>Wilkin        |
| Aug 25  | Gallia<br>Common Pleas<br>Courtroom     |   | Abele, Hess,<br>Smith         |
| Sep 8   | Washington<br>Common Pleas<br>Courtroom |   | Hess, Smith,<br>Wilkin        |
| Sep 29  | Highland<br>Common Pleas<br>Courtroom   |   | Abele, Smith,<br>Wilkin       |
| Oct 6   | Vinton<br>Court of Appeals<br>Courtroom |   | Abele, Smith,<br>Wilkin       |
| Oct 20  | Pike<br>Common Pleas<br>Courtroom       |   | Abele, Smith,<br>Wilkin       |
| Oct 27  | Pickaway<br>Common Pleas<br>Courtroom   |   | Abele, Hess,<br>Wilkin        |
| Nov 3   | Ross<br>Common Pleas<br>Courtroom       |   | Abele, Hess,<br>Wilkin        |
| Nov 17  | Scioto<br>Court of Appeals<br>Courtroom |   | Abele, Hess,<br>Wilkin        |

## **ORAL ARGUMENT HEARING LOCATIONS**

Adams County Common Pleas Courtroom  
Adams County Courthouse  
110 West Main Street  
West Union, Ohio 45693

Athens County Common Pleas Courtroom  
Athens County Courthouse  
1 South Court Street  
Athens, Ohio 45701

Gallia County Common Pleas Courtroom  
Gallia County Courthouse  
18 Locust Street  
Gallipolis, Ohio 45631

Highland County Common Pleas Courtroom  
Highland County Courthouse  
105 North High Street  
Hillsboro, Ohio 45133

Hocking County Common Pleas Courtroom  
Hocking County Courthouse  
1 East Main Street  
Logan, Ohio 43138

Jackson County Common Pleas Courtroom  
Jackson County Courthouse  
226 East Main Street  
Jackson, Ohio 45640

Lawrence County Common Pleas Courtroom  
Lawrence County Courthouse  
111 South 4<sup>th</sup> Street  
Ironton, Ohio 45638

Meigs County Common Pleas Courtroom  
Meigs County Courthouse  
100 Second Street  
Pomeroy, Ohio 45769

Pickaway County Common Pleas Courtroom  
Pickaway County Courthouse  
207 South Court Street, 2<sup>nd</sup> Floor  
Circleville, Ohio 43113

Pike County Common Pleas Courtroom  
Pike County Courthouse  
100 East Second Street  
Waverly, Ohio 45690

Ross County Common Pleas Courtroom #1  
Ross County Courthouse  
2 North Paint Street  
Chillicothe, Ohio 45601

Scioto County Court of Appeals Courtroom  
Scioto County Courthouse  
602 7<sup>th</sup> Street, 3<sup>rd</sup> Floor  
Portsmouth, Ohio 45662

Vinton County Common Pleas Courtroom  
Vinton County Courthouse  
100 East Main Street  
McArthur, Ohio 45651

Washington County Common Pleas Courtroom  
Washington County Courthouse  
205 Putnam Street  
Marietta, Ohio 45750