

# Court of Appeals of Ohio

## *Eleventh Appellate District*

Diane V. Grendell  
Judge

Timothy P. Cannon  
Judge

Colleen Mary O'Toole  
Judge

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Ashtabula Geauga Lake Portage Trumbull

Cynthia Westcott Rice  
Presiding/Administrative Judge

Thomas R. Wright  
Judge

Shibani Sheth-Massacci  
Court Administrator/Magistrate/  
Administrative Counsel

**February 13, 2017**

### **RELEASE**

#### **ASHTABULA**

2015-A-0071

STATE OF OHIO, Plaintiff-Appellee v. BRANDON J. RICE, Defendant-Appellant.

Judgment affirmed. O'Toole, J., dissents with a Dissenting Opinion. See Opinion and Judgment Entry. [CANNON] (GRENDPELL) (O'TOOLE)

CRIMINAL - motion for new trial; motion to depose; res judicata.

2017-A-0008

IN RE: C.C.W.

Upon consideration and upon recommendation of the Administrative Counsel, the motion is granted, and this appeal is hereby dismissed. See Judgment Entry. [RICE] (GRENDPELL) (WRIGHT)

#### **GEAUGA**

2016-G-0092

ENTECH LTD., Relator v. THE GEAUGA COUNTY COURT OF COMMON PLEAS, et al., Respondents.

Petition dismissed. See Per Curiam Opinion and Judgment Entry. (GRENDPELL) (WRIGHT) (O'TOOLE)

ORIGINAL ACTION- prohibition; jurisdiction; judicial officer; divorce proceedings; discovery; broad discretion; nondisclosure agreement; adequate remedy at law.

#### **LAKE**

2016-L-055 &  
2016-L-083

NAVY PORTFOLIO, LLC, Plaintiff-Appellee v. THE VIVIANI FAMILY LIMITED PARTNERSHIP, et al., Defendants, HORIZON CHILD DEVELOPMENT, OR CURRENT TENANT, IF ANY, OF 8303 TYLER BLVD., MENTOR, OHIO 44060, et al., Defendant-Appellant, (CAMBRIDGE CAPITAL GROUP, LLC, RECEIVER, Appellee).

Upon consideration and upon recommendation of the Administrative Counsel, the motion is hereby granted, and these appeals are settled and dismissed. See Judgment Entry. [RICE] (GRENDPELL) (WRIGHT)

2016-L-128      IN THE MATTER OF: T.D.R., JR., DELINQUENT CHILD  
Appeal dismissed. See Judgment Entry. [RICE] (CANNON) (O'TOOLE)

**PORTAGE**

2016-P-0058      STATE OF OHIO ex rel. BRIAN M. AMES, Relator-Appellant v. PORTAGE COUNTY BOARD OF COMMISSIONERS, et al., Respondents-Appellees.

Appeal dismissed. See Memorandum Opinion and Judgment Entry. [CANNON] (GRENDALL) (WRIGHT)  
APPELLATE REVIEW - R.C. 2505.02(B); order striking a pleading is not a final appealable order.

**TRUMBULL**

2014-T-0077      IN THE MATTER OF: L.K.P., A MINOR

Judgment affirmed. Grendell, J., dissents with a Dissenting Opinion. See Opinion and Judgment Entry. [WRIGHT] (RICE) (GRENDALL)  
ADOPTION - Effect of adoption on grandparent's visitation rights; R.C. 3107.15(A); best interest analysis does not apply; automatic termination.

2015-T-0082      STATE OF OHIO, Plaintiff-Appellee v. JOHN DAVID WILSON, Defendant-Appellant.

Judgment affirmed. See Opinion and Judgment Entry. [WRIGHT] (CANNON) (O'TOOLE)  
CRIMINAL LAW - alleged breach of plea agreement; no agreed upon sentence; waiver of speedy trial claim; guilty plea; valid speedy trial waivers; ineffective assistance of counsel claim lacks merit.

2016-T-0015      KEVIN ALLEN, Plaintiff-Appellee v. DEBRA L. ALLEN, Defendant-Appellant.

Judgment affirmed. See Opinion and Judgment Entry. [GRENDALL] (RICE) (WRIGHT)  
DOMESTIC RELATIONS - modification of parental rights and responsibilities; R.C. 3109.04(E)(1)(a); change in circumstances.