

**THE NORTHEAST LAWYERS CLUB  
FIRST DISTRICT COURT OF APPEALS CASE UPDATE  
JUDGE LEE H. HILDEBRANDT, JR.  
JULY 10, 2015**

**CIVIL**

*CASCIANI V. CRITCHELL*, C-140338, March 18, 2015  
Tort Miscellaneous, Opinion by Judge Hendon.

*COLEGROVE V. FRED A. NEMANN CO.*, C-140171, February 13, 2015  
Tort Miscellaneous- Damages-Jury Instructions, Opinion by Judge Fischer.

*ESTERMAN V. SPEEDWAY LLC*, C-140287,  
Negligence-Slip-Fall, Opinion by Judge Fischer.

*GOFFSTEIN V. GOFFSTEIN*, C-140010, November 14, 2014  
Divorce and Dissolution-Contempt, Opinion By Judge Hildebrandt.

*GREER V. BRUCE*, C-140121, November 5, 2014.  
Tort Miscellaneous-Damages, Opinion by Judge Hildebrandt.

*HUSTLER CINCINNATI V. ELM 411, LLC*, C-130754,  
Attorney Fees, Opinion by Judge Cunningham.

*J.L.L. ONE LLC d.b.a. J.L.L. INVESTMENTS V. KEMPER*, C-130555, November 7, 2014,  
Contracts-Damages, Opinion by Judge Cunningham.

*KINGREY V. DUKE ENERGY CORP*, C-140308, February 11, 2015,  
Civil Miscellaneous-Procedure/Rules, Opinion by Judge Fischer.

*MARTIN V. KINGS FORD, INC.*, C-140252, February 6, 2015,  
Civil Miscellaneous-Negligence-Summary Judgment, Opinion by Judge Fischer.

*MONTGOMERY COUNTY V. DETERS*, C-140266, April 22, 15,  
Contracts-Insurance, Opinion by Judge Mock.

*MORENO V. ODACS*, C-130810, November 12, 2014,  
Constitutional Law/Civil-Preemption, Opinion by Judge Hildebrandt.

*O'LOUGHLIN V. MERCY HOSPITAL FAIRFIELD*, C-130372, January 21, 2015,  
Medical Malpractice-Evidence/Witness/Trial-Jury Instructions-Juries,  
Opinion by Judge Hildebrandt.

*PARKER V. PARKER*, C-130658, December 17, 2014,  
Domestic Relations-Civil Miscellaneous, Opinion by Judge Cunningham.

*PARTIN V. CITY OF NORWOOD*, C-140461, April 29, 2015,  
Municipal- Immunity, Opinion by Judge Cunningham.

*ROY V. DURRANIC*-140181, January 7, 2015,  
Medical Malpractice-Contracts, Opinion Per Curiam.

*RURAL BUILDING OF CINCINNATI, LLC V. EVENDALE*, C-140404, April 29, 2014,  
Mandamus-Procedure/Rules, Opinion by Judge Mock.

*SAKELOS V. CITY OF CINCINNATI*, C-140327, April 22, 2015,  
Negligence/Auto-Municipal-Immunity, Opinion by Judge Mock.

*SWATERS V. LAWSON*, C-140270, C-140334, C-140361, March 11, 2015,  
Jurisdiction-Contempt-procedures/Rules, Opinion by Judge Hendon.

*TYRA V. TYRA*, C-140211, December 26, 2014,  
Divorce and Dissolution-Hearsay-Evidence/Witness/Trial, Opinion by Judge DeWine.

*WALL V. THE KROGER CO.*,C-140355, March 14, 2015,  
Contracts, Opinion by Judge DeWine.

*WELLS FARGO BANK N.A. V. BRAUNSKILL*, C140014, January 28, 2015,  
Debtor/Creditor-Procedure/Rules-Summary Judgment.

#### CRIMINAL

*STATE V. BREMENKAMP*, c-130819, c-130820, November 19, 2014,  
Autos/Criminal-OVI-Evidence, Opinion by Judge DeWine.

*STATE V. CARNES*, C-140188, February, 4, 2015, Autos/Criminal,  
Opinion by Judge DeWine.

*STATE V. CAUTHEN*, C-130475, January 28, 2015, Sentencing,  
Opinion by Judge Cunningham.

*STATE V. COBIA*, C-140058, January 30, 2015,  
Constitutional Law/Criminal-Evidence/Witness/Trial-Other Acts Evidence,  
Opinion by Judge DeWine.

*STATE V. DAWSON*, C-130765, February 11, 2015, Jurisdiction-Bindover-Juries,  
Opinion by Judge Hendon.

*STATE V. FERGUSON*, C-140368, April 17, 2015,  
Evidence/Witness/Trial, Opinion by Judge DeWine.

*STATE V. HAMILTON*, C-140290, January 30, 2015,  
Appellate Review/Criminal-Sentencing, Opinion by Judge Cunningham.

*STATE V. INGELS*, C-140312, C-140313, C-140328,  
Sentencing-Postrelease Control, Opinion by Judge Cunningham.

*STATE V. MACK*, C-140054, April 15, 2015,  
Sentencing-Crim.R. 11-Counsel, Opinion by Judge Fischer.

*STATE V. MILLER*, C-140068, December 24, 2014,  
Constitutional Law/Criminal-Miranda, Opinion by Judge Hildebrandt.

*STATE V. MUCHMORE*, C140056, November 19, 2014,  
Autos/Criminal-Indictment/Complaint, Opinion by Judge DeWine.

*STATE V. NELSON*, C-140352, February 25, 2014,  
Jurisdiction/Venue-Assault, Opinion by Judge Fischer.

*STATE V. PARKER*, C-140179, January 28, 2015,  
Jurisdiction-Community Control, Opinion by Judge Fischer.

*STATE V. THOMAS*, C-140265, January 23, 2015,  
Escape-Evidence, Opinion by Judge Cunningham.

*STATE V. WOODS*, C-130413, September 10, 2014, Homicide-Evidence-  
Evidence/Witness/Trial-Constitutional Law/Criminal-Counsel-Hearsay-ID/Photos-  
Juries-Procedure/Rules-Prosecutor-Jury Instructions-Sentencing,  
Opinion by Judge Hildebrandt.

### **JUVENILE COURT**

*IN RE: K.C.*, C-140307, April 29, 2015, Delinquency-Constitutional Law/Criminal-  
Miranda, Opinion by Judge Mock.

*IN RE: M.P.*, C-140373, April 24, 2015, Delinquency-Search and Seizure,  
Opinion by Judge Fischer.

### **ORIGINAL ACTION**

*STATE EX REL. HOLWADEL V. HAMILTON COUNTY BOARD OF ELECTIONS*,  
C-130717, January 14, 2015, Mandamus-Writs, Opinion by Judge Hildebrandt.