

CASE DECISION LIST

Court of Appeals, Eighth Appellate District

Page: 1 of 2

September 10, 2020

109038 COMMON PLEAS COURT A CRIMINAL C.P.
STATE OF OHIO v ANDREA M. COWART

Affirmed.

Kathleen Ann Keough, P.J., Eileen A. Gallagher, J., and Mary Eileen Kilbane, J., concur.

KEY WORDS: *Rental car; return; unauthorized use; restitution.*

Defendant's conviction for unauthorized use of a vehicle was supported by sufficient evidence and not against the manifest weight of the evidence when the state proved that the defendant possessed the rental vehicle more than 48 hours after the rental company withdrew its consent. The trial court did not abuse its discretion in ordering the defendant to pay the outstanding rental fee bill and the cost of towing the vehicle once it was recovered.

109101 COMMON PLEAS COURT E CIVIL C.P.-NOT JUV,DOM OR PRO
MEGHAN LEWIS BARLOW v THE GAP, INC.

Affirmed.

Mary J. Boyle, P.J., Frank D. Celebrezze, Jr., J., and Michelle J. Sheehan, J., concur.

KEY WORDS: *Ohio's Consumer Sales Practices Act, R.C. 1345.02(A), Ohio Adm.Code 109:4-3-02(A)(1), falsity, materiality, summary judgment, Civ.R. 56(C).*

The trial court did not err in granting The Gap's motion for summary judgment on Barlow's claim that The Gap's signs violated the Ohio Consumer Sales Practices Act. The Gap properly supported its motion with the pleadings and an affidavit. Barlow did not allege, argue, or present evidence that The Gap's signs were false, material, or misleading.

109189 COMMON PLEAS COURT A CRIMINAL C.P.
STATE OF OHIO v EDWARD HYDE, JR.

Affirmed.

Sean C. Gallagher, J., Mary J. Boyle, P.J., and Patricia Ann Blackmon, J., concur.

KEY WORDS: *Lifetime suspension; driving privileges; driver's license; terminate; R.C. 4510.54; discretion; eligibility; reply brief; Crim.R. 57; local rule; reversible error; abuse of discretion.*

CASE DECISION LIST

(Case 109189 continued)

Affirmed the trial court's decision to deny appellant's motion to terminate the lifetime suspension of his driving privileges pursuant to R.C. 4510.54. The trial court was permitted to rule upon Hyde's motion without waiting for a reply brief, and the clerk of courts' erroneous notification of the filing of the brief was not reversible error. The trial court acted within the discretion afforded by R.C. 4510.54 in denying appellant's motion.