

IN THE COURT OF APPEALS OF OHIO  
SIXTH APPELLATE DISTRICT  
SANDUSKY COUNTY

State ex rel. City of Bellevue

Court of Appeals No. S-09-002

Relator

v.

The Commissioners for the County  
of Sandusky

**DECISION AND JUDGMENT**

Respondent

Decided: August 31, 2009

\* \* \* \* \*

Kenneth Stumphauzer and Steven Beranek, for relator.

Thomas Stierwalt, Sandusky County Prosecuting Attorney, for respondent.

\* \* \* \* \*

PIETRYKOWSKI, J.

{¶ 1} The parties have failed to respond to the court's order of May 29, 2009, either by submitting a proposed dismissal order or by indicating that the report of

settlement was incorrect. The order provided that in such an event, this action would be dismissed by the court, sua sponte, without further notice to the parties.

{¶ 2} Accordingly, this action is hereby dismissed. Relator, city of Bellevue, is ordered to pay costs.

PETITION DISMISSED.

Peter M. Handwork, P.J.

\_\_\_\_\_  
JUDGE

Mark L. Pietrykowski, J.

\_\_\_\_\_  
JUDGE

Arlene Singer, J.  
CONCUR.

\_\_\_\_\_  
JUDGE

This decision is subject to further editing by the Supreme Court of Ohio's Reporter of Decisions. Parties interested in viewing the final reported version are advised to visit the Ohio Supreme Court's web site at:  
<http://www.sconet.state.oh.us/rod/newpdf/?source=6>.