

# Court fixes blame for giving minor beer

COLUMBUS (AP) — A person who gives alcoholic beverages to a minor may be held liable for injuries caused by that minor, the Ohio Supreme Court ruled yesterday.

The court ruled unanimously in a Stark County case that requests damages against an individual and a tavern operator as a result of the Oct. 9, 1983, death of Kathryn Mitseff in an auto accident.

Named in the suit was Douglas R. Wheeler, who allegedly served four beers to Jennifer Johnson, then 17, the day of the accident.

Evidence showed that after leaving Wheeler's home, Johnson

visited the Reedurban Tavern, where she again was served alcohol. The tavern operator, William G. Jones, was named a defendant in the suit.

Johnson's car later went left of center and struck Mitseff's car.

Stark County Common Pleas Judge William A. Morris dismissed Wheeler as a defendant, saying there was no evidence to show Wheeler helped cause the accident. Wheeler said he didn't know Johnson was intoxicated when she left his house. The Ohio Court of Appeals (5th District) upheld Morris' decision.

Justice Andy Douglas, writing the

opinion, said Wheeler violated a state law that beer may not be furnished to anyone under 19 except by a physician in the line of practice or by a parent or legal guardian.

In another case, the court unanimously ruled a company is not entitled to review grand jury testimony that current and former employees gave in a hazardous-waste pollution case.

The decision came in a case in which CECOS International Inc., a second company and two individuals were indicted for discharging illegal waste into a tributary of Pleasant Run Creek from a Cler-

mont County landfill in 1984.

CECOS asked to review the testimony, saying it could be jeopardized at trial if the company's testimony differed from testimony by current and former employees.

Justice Craig Wright said CECOS could be found guilty of a crime only if the crime was approved, recommended or implemented by high management personnel with actual or implied authority to do the act.

Clermont County Common Pleas Court granted CECOS's motion to review the testimony. The Ohio Court of Appeals (1st District) upheld the decisions.