

State of Ohio

Case No. 2007-1047

v.

E N T R Y

Ralph E. Clark

This cause is pending before the Court on the certification of a conflict by the Court of Appeals for Ashtabula County. On review of the order certifying a conflict,

It is determined that a conflict exists. The parties are to brief the issue stated at page 3 of the court of appeals' Judgment Entry filed June 5, 2007, as follows:

“Is a guilty plea, knowing, intelligent, and voluntary when the trial court misinforms the defendant that he or she will be subject to five years postrelease control if released and up to nine months in prison for any violation when, in fact, the defendant faces a lifetime of parole and reincarceration for life for any violation?”

It is ordered by the Court, sua sponte, that this cause is consolidated with Supreme Court Case No. 2007-0983, *State v. Clark*.

It is ordered that the briefing in Case Nos. 2007-1047 and 2007-0983 shall be consolidated. The parties shall file two originals of each of the briefs permitted under S.Ct.Prac.R. VI and include both case numbers on the cover page of the briefs. The parties shall otherwise comply with the requirements of S.Ct.Prac.R. VI.

It is ordered by the Court that the Clerk shall issue an order for the transmittal of the record from the Court of Appeals for Ashtabula County.

Upon consideration of appellant's motion to hold oral argument on same day as Case No. 2006-1973, *State v. Sarkozy*,

It is ordered by the Court that the motion is denied.

(Ashtabula County Court of Appeals; No. 2006A0004)

THOMAS J. MOYER
Chief Justice