

State of Ohio

Case No. 2008-2133

v.

E N T R Y

Richard L. Underwood, Jr.

Upon consideration of the jurisdictional memoranda filed in this case, the Court accepts the appeal.

It is ordered by the Court, sua sponte, that this cause is consolidated with Supreme Court Case No. 2008-2228, *State v. Underwood*.

The Clerk shall issue an order for the transmittal of the record from the Court of Appeals for Montgomery County.

It is further ordered by the Court that briefing in Case Nos. 2008-2133 and 2008-2228 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.

(Montgomery County Court of Appeals; No. 22454)

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THOMAS J. MOYER  
Chief Justice