

State of Ohio

Case No. 2008-2127

v.

(CORRECTED ENTRY)

John Rohrbaugh

This cause is pending before the Court as a discretionary appeal. Upon consideration of the motion of the Ohio Public Defender to dismiss the appeal,

It is ordered by the Court that the motion is denied, consistent with the opinion rendered herein.

It is further ordered by the Court that the Logan County Prosecuting Attorney is ordered to serve the notice of appeal on the Ohio Public Defender and to notify this Court of the date of such service. The Ohio Public Defender may file an amicus memorandum in response to the memorandum in support jurisdiction within 30 days of the date of service of the notice. The Court will not consider the jurisdictional memoranda until either the Ohio Public Defender has filed an amicus memorandum or the time for filing an amicus memorandum has passed.

(Logan County Court of Appeals; No. 80728)

THOMAS J. MOYER
Chief Justice