

The Supreme Court of Ohio

FILED

SEP 21 2011

CLERK OF COURT
SUPREME COURT OF OHIO

State of Ohio

Case No. 2011-1070

v.

ENTRY

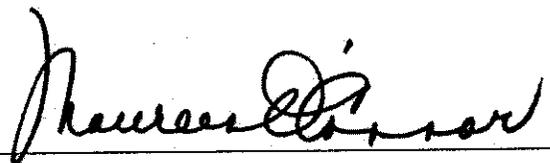
Regina Niesen-Pennycuff

This cause is pending before the Court on the certification of a conflict by the Court of Appeals for Warren 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 10 of the court of appeals' Opinion filed June 6, 2011, as follows:

“Must a trial court order the sealing of records in the manner provided in R.C. 2953.32, which requires a one-year waiting period for misdemeanors and a three-year waiting period for felonies, or may the trial court employ R.C. 2953.52(A)(1) and determine that a defendant who has successfully completed the intervention in lieu of conviction program is eligible to have their record sealed immediately upon successful completion of the program?”

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 Warren County.

(Warren County Court of Appeals; No. CA201011112)



Maureen O'Connor
Chief Justice