

**IN THE OHIO SUPREME COURT**

CINCINNATI BAR ASSOCIATION,

Relator,

v.

**CASE NO. 05-1930**

DONALD L. BAILEY, DBA  
LICENSE RESQUE,

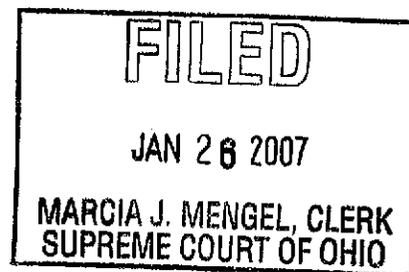
Respondent.

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**MOTION FOR STAY OF JUDGMENT AND WAIVER OF  
BOND DUE TO INDIGENCY, PENDING RESOLUTION OF  
APPEAL TO THE UNITED STATES SUPREME COURT  
FOR WRIT OF CERTIORARI**

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DONALD L. BAILEY, RESPONDENT  
PRO SE,  
JANUARY 26, 2007  
4345 DONLYN CT.  
COLUMBUS, OH 43232  
(614) 575-1011 (OFFICE)  
(614) 575-1212 (FAX)



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CINCINNATI BAR ASSOCIATION,

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**CASE NO. 05-1930**

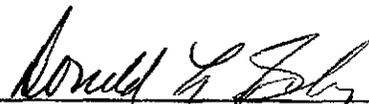
DONALD L. BAILEY, DBA,  
LICENSE RESQUE,

Respondent.

**MOTION FOR STAY OF JUDGMENT AND WAIVER OF  
BOND DUE TO INDIGENCY, PENDING RESOLUTION OF  
APPEAL TO THE UNITED STATES SUPREME COURT  
FOR WRIT OF CERTIORARI**

Now comes the Respondent, Donald L. Bailey, Pro Se and moves this Court for a Stay of Judgment due to indigency, pending resolution of appeal to the United States Supreme Court for Writ of Centiorari. Respondent's appeal is due to be filed in United States Supreme Court on Monday January 29, 2007. Reasons why a bond should not be posted is found in the attached memoranda hereto.

Respectfully Submitted,



DONALD L. BAILEY, RESPONDENT, PRO SE

January 26, 2007

4345 DONLYN COURT, BUILDING C

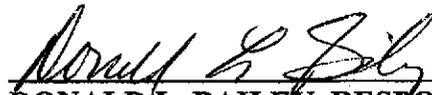
COLUMBUS, OHIO 43232

(614) 575-1011

**MEMORANDA IN SUPPORT OF MOTION FOR STAY OF  
JUDGMENT AND WAVIER OF BOND DUE TO  
INDIGENCY PENDING RESOLUTION OF APPEAL TO  
THE UNITED STATES SUPREME COURT FOR WRIT OF  
CERTIORARI**

1. Respondent expects to prevail in the United States Supreme Court.
2. Respondent is unable to post a bond with this court because as a result of the exposure of this instant case, respondent is an indigent citizen of the United States which was brought to this Courts attention on September 15, 2006, See Motion for Reconsideration of Order and Opinion of this Court. Respondent is Indigent and cannot pay a bond and/or pay the court costs and civil penalizes.
3. The federal constitution prohibits state from imposing fine as sentence and automatically converting it to jail term, solely because defendant is indigent and cannot forthwith pay fine in full. See 14<sup>th</sup> Amendment of the U. S. Constitution.

Respectfully Submitted,



DONALD L. BAILEY, RESPONDENT, PRO SE

January 26, 2007

4345 DONLYN COURT, BUILDING C

COLUMBUS, OHIO 43232

(614) 575-1011

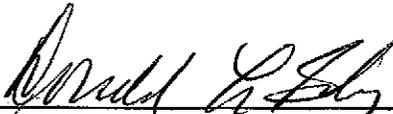
## **CERTIFICATE OF SERVICE**

**This is to certify that a copy of the foregoing Motion for Stay of Judgment And Waiver of Bond Due to Indigency , Pending Resolution of Appeal with the United States Supreme Court for Writ of Certiorari was served upon the following this 26<sup>th</sup> day January, 2007 by U.S. Mail postage prepaid:**

**Rosemary D. Welsh, Esq.  
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**Theresa L. Groh, Esq.  
35 East 7<sup>th</sup> Street, Suite 600  
Cincinnati, Ohio 45202**



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**DONALD L. BAILEY, RESPONDENT  
PRO SE**

**January 26, 2007  
4345 DONLYN COURT, BUILDING C  
COLUMBUS, OHIO 43232  
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