

In The Supreme Court of Ohio

Case Information Statement

Case Name:

State v. Phillip L. Elmore

Case No.:

07-0475

I. Has this case previously been decided or remanded by this Court? Yes No

If so, please provide the Case Name: State v. Elmore

Case No.: 2004-0041

Any Citation: 111 Ohio St.3d 515, 2006--Ohio--6207

II. Will the determination of this case involve the interpretation or application of any particular case decided by the Supreme Court of Ohio or the Supreme Court of the United States? Yes No

If so, please provide the Case Name and Citation: State v. Foster, 109 Ohio St.3d 1 (2006)

Will the determination of this case involve the interpretation or application of any particular constitutional provision, statute, or rule of court? Yes No

If so, please provide the appropriate citation to the constitutional provision, statute, or court rule, as follows:

U.S. Constitution: Article _____ Section _____ Ohio Revised Code: R.C. 2901.04

Ohio Constitution: Article IV Section 4(B) Court Rule: _____

United States Code: Title _____ Section _____ Ohio Admin. Code: O.A.C. _____ - _____ - _____

III. Indicate up to three primary areas or topics of law involved in this proceeding (e.g., jury instructions, UM/UIM, search and seizure, etc.):

- 1) Due Process
- 2) Retroactive application of State v. Foster
- 3) Consecutive Sentencing

FILED

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MARCIA J. MENGEL, CLERK
SUPREME COURT OF OHIOIV. Are you aware of any case now pending or about to be brought before this Court that involves an issue substantially the same as, similar to, or related to an issue in this case? Yes No

If so, please identify the Case Name: State v. Houston

Case No.: 07-0476

Court where Currently Pending: Ohio Supreme Court

Issue: Due process, ex post facto, consecutive sentencing

Contact information for appellant or counsel:

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Signature of appellant or counsel

Counsel for: Appellant Phillip L. Elmore