

In the Supreme Court of Ohio

STATE OF OHIO,)	Supreme Ct. Case No. 04-1163
)	
Respondent-Appellee,)	
)	
-vs-)	Trial Ct. No. 03-CR-116
)	
MARVIN JOHNSON,)	
)	
Petitioner-Appellant.)	Death Penalty Case

**NOTICE OF WITHDRAWAL OF PROPOSITION OF LAW NO. III FROM
APPELLANT MARVIN JOHNSON'S APPLICATION FOR REOPENING PURSUANT
TO S. CT. PRAC. R. XI, SECTION 5**

DANIEL G. PADDEN - 0038781
Guernsey County Prosecutor

DAVID BODIKER - 0016590
Ohio Public Defender

KIMBERLY S. RIGBY - 0078245
Assistant State Public Defender
Counsel of Record

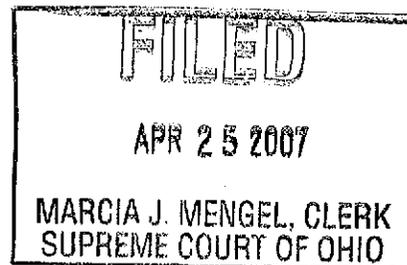
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In the Supreme Court of Ohio

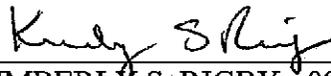
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TO S. CT. PRAC. R. XI, SECTION 5**

Appellant Marvin Johnson hereby gives notice that he is withdrawing his Third Proposition of Law from his Application for Reopening Pursuant to S.Ct. Prac. R. XI, Section 5.

Respectfully submitted,

DAVID BODIKER - 0016590
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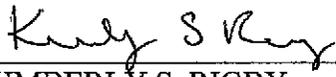

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing NOTICE OF WITHDRAWAL OF PROPOSITION OF LAW NO. III FROM APPELLANT MARVIN JOHNSON'S APPLICATION FOR REOPENING PURSUANT TO S. CT. PRAC. R. XI, SECTION 5 was forwarded by regular U.S. mail to Daniel G. Padden, Office of the Guernsey County Prosecutor, 139 Courthouse Square, P.O. Box 540, Cambridge, Ohio 43725, on this 25th day of April, 2007.



KIMBERLY S. RIGBY
COUNSEL FOR APPELLANT