

IN THE SUPREME COURT OF OHIO

STATE OF OHIO : CASE NO: 2007-0755
Appellee, : Death Penalty Case
v. :
: :
CHARLES MAXWELL :
Appellant :

MOTION FOR EXTENSION OF TIME FOR TRANSMISSION OF RECORD
PURSUANT TO S. CT. R. XIX SECTION 4(C)

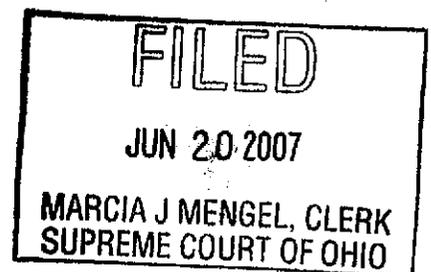
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Counsel for Appellant

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Cuyahoga County Prosecutor
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Cleveland, Ohio 44113
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Counsel for Appellee



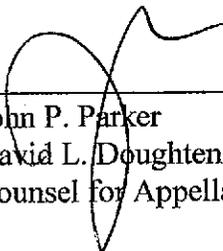
Memorandum

The Appellant has timely filed his Notice of Appeal from his Aggravated Murder conviction and sentence of death. The record is due to be filed on or before June 25, 2007.

Undersigned counsel has been informed by the court reporter that she needs a minimum of 60 additional days to complete the transcript. (See attached affidavit)

Wherefore, the appellant requests at least 60 additional days to transmit the record to this Court under S. Ct. R. XIX Section 4(C).

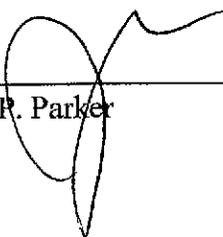
Respectfully submitted,



John P. Parker
David L. Doughten
Counsel for Appellant

Certificate of Service

I hereby certify that a copy of the foregoing motion was served on William Mason, Esq., Cuyahoga County Prosecutor, 1200 Ontario Street, Justice Center-9th Floor this 15th day of June 2007 via regular U.S. Mail postage prepaid.



John R. Parker

1 THE STATE OF OHIO,)
2 COUNTY OF CUYAHOGA.)

SS:

AFFIDAVIT

3 Mary E. Schuler, being first duly sworn according to
4 law, deposes and states as follows:

5 1. She is an Assistant Official Court Reporter for the
6 Court of Common Pleas, Cuyahoga County, Ohio.

7 2. She is one of the reporters responsible for the
8 preparation of the Transcript in State of Ohio vs.
9 Charles Maxwell, Common Pleas Case No. CR475400;
10 Supreme Court Case No. 2007-0755.

11 3. She is unable to complete the transcript within the
12 time permitted under Rule XIX, Section 4, of the Rules
13 of Practice of the Supreme Court of Ohio, because of
14 the already heavy volume of work presently being
15 handled by this reporter, and the coordination of the
16 preparation of the transcript among several reporters,
17 which is in excess of 2,000 pages.

18 WHEREFORE, the affiant requests an extension of time of
19 at least 60 days to file the record.

Mary E. Schuler

Official Court Reporter

20 SWORN TO AND SUBSCRIBED BEFORE me this 8th day of
21 June, 2007.

Jeff J. Ragazzo

NOTARY PUBLIC

22 My Commission Expires 11-17-08

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24
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