

IN THE SUPREME COURT OF OHIO
2007

STATE OF OHIO,

Case No. 03-1964

Plaintiff-Appellee,

-vs-

JAMES T. CONWAY, III,

DEATH PENALTY CASE

Defendant-Appellant.

**NOTIFICATION OF EXHAUSTION OF STATE POST-CONVICTION
PROCEEDINGS**

MOTION OF PLAINTIFF-APPELLEE TO SET AN EXECUTION DATE

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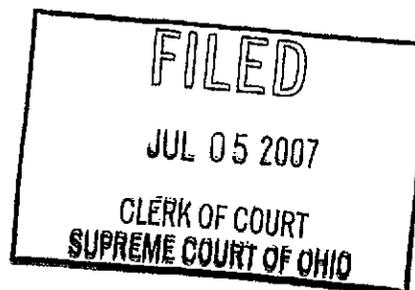
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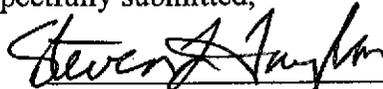


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MOTION OF PLAINTIFF-APPELLEE TO SET AN EXECUTION DATE

For the reasons stated in the attached memorandum, the State hereby notifies this Court of the exhaustion of state-court post-conviction proceedings and respectfully requests that this Court set an execution date.

Respectfully submitted,



STEVEN L. TAYLOR 0043876
(Counsel of Record)
Assistant Prosecuting Attorney

Counsel for Plaintiff-Appellee

MEMORANDUM IN SUPPORT

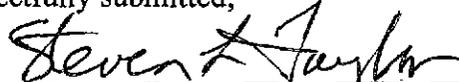
Defendant faces a death sentence as a result of the aggravated murder of Andrew Dotson. This Court affirmed the convictions and death sentence in June 2006. *State v. Conway*, 109 Ohio St.3d 412, 2006-Ohio-2815. However, execution of the death sentence was stayed by this Court in an entry filed on July 11, 2006, pending the exhaustion of all proceedings for post-conviction relief in the courts of this State.

The State hereby notifies this Court that such proceedings for post-conviction relief have concluded. The common pleas court denied post-conviction relief, the Tenth District Court of Appeals affirmed that denial, and this Court on June 20, 2007, declined to accept jurisdiction over defendant's appeal therefrom. See Case No. 07-64.

In light of the foregoing, the State respectfully requests that this Court set an execution date for defendant Conway. The setting of such a date will provide a strong impetus for the defense to act with the requisite diligence to timely pursue federal habeas

corpus relief, including the timely and prompt seeking of a stay from the federal court.

Respectfully submitted,



STEVEN L. TAYLOR 0043876

(Counsel of Record)

Assistant Prosecuting Attorney

Counsel for Plaintiff-Appellee

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing was sent by regular U.S. Mail, this 5th day of July, 2007, to Randall L. Porter, Ohio Public Defender's Office, 8 East Long Street, 11th Floor, Columbus, Ohio 43215, Counsel for Defendant-Appellant.



STEVEN L. TAYLOR 0043876

Assistant Prosecuting Attorney