

In the
Supreme Court of Ohio

STATE OF OHIO, : Case Nos. 2007-0291,
 : 2007-0472
 :
 Plaintiff-Appellee, :
 :
 v. : On Appeal from the
 : Franklin County
 : Court of Appeals,
 D.H., : Tenth Appellate District
 :
 :
 Defendant-Appellant. : Court of Appeals Case
 : No. 06AP-250

**MOTION TO ADMIT BENJAMIN C. MIZER
PRO HAC VICE TO REPRESENT AMICUS CURIAE
OHIO ATTORNEY GENERAL MARC DANN**

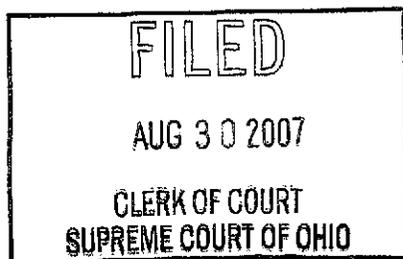
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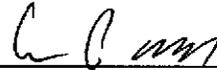
**MOTION TO ADMIT BENJAMIN C. MIZER
PRO HAC VICE TO REPRESENT AMICUS CURIAE
OHIO ATTORNEY GENERAL MARC DANN**

In accordance with Supreme Court Practice Rule I, Section 2, William P. Marshall (Ohio Bar No. 0038077) moves the Court to admit Benjamin C. Mizer to appear on behalf of and represent *pro hac vice Amicus Curiae* Ohio Attorney General Marc Dann in the above-captioned matter, stating the following grounds:

1. Mr. Mizer is a Deputy Solicitor in Ohio Attorney General Marc Dann's Office, located at 30 East Broad Street, 17th Floor, Columbus, Ohio 43215.
2. Mr. Mizer graduated from the University of Michigan Law School in 2002.
3. Mr. Mizer is admitted to the bars of the State of New York and the District of Columbia. He is also admitted to practice in the United States Supreme Court and the United States Courts of Appeals for the First, Sixth, Ninth, and District of Columbia Circuits. He is a member in good standing of each of these bars.
4. Mr. Mizer has participated in cases on behalf of clients in both state and federal courts.
5. Mr. Mizer has applied for admission to the bar of the State of Ohio and will sit for the bar examination in February 2008.
6. This Court recently admitted Mr. Mizer *pro hac vice* in *Greer-Burger v. Temesi*, No. 2006-1616. Mr. Mizer has also applied for *pro hac* admission in *State v. Bartholomew*, No. 2007-1462.

WHEREFORE, William P. Marshall respectfully requests that this Court admit Benjamin C. Mizer *pro hac vice* for the purpose of representing *Amicus Curiae* Ohio Attorney General Marc Dann in the above-captioned matter.

Respectfully submitted,



WILLIAM P. MARSHALL* (0038077)

Solicitor General

**Counsel of Record*

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Ohio Attorney General Marc Dann

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Motion to Admit Benjamin C. Mizer Pro Hac Vice to Represent *Amicus Curiae* Ohio Attorney General Marc Dann was served by U.S. mail this 30th day of August 2007 upon the following counsel:

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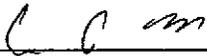
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William P. Marshall
Solicitor General