

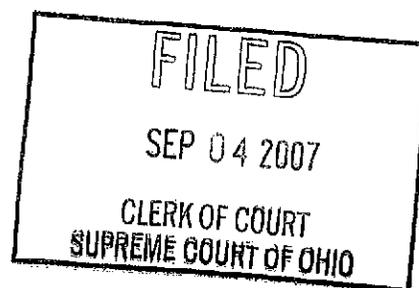
IN THE SUPREME COURT OF OHIO
Nos. 2006-2139 & 2006-2250

STATE OF OHIO :
Appellee :
-vs- : On Appeal and Notice of Certified Conflict
VINCENT COLON : from the Cuyahoga County Court of
Appellant : Appeals, Eighth Appellate District,
Case No. 87499

MOTION TO RESCHEDULE
ORAL ARGUMENT

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IN THE SUPREME COURT OF OHIO
Nos. 2006-2139 & 2006-2250

STATE OF OHIO
Appellee

-vs-

VINCENT COLON
Appellant

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MOTION TO RESCHEDULE
ORAL ARGUMENT

Now comes undersigned counsel and respectfully requests that this Court reschedule oral argument in the instant case. Reasons for this request are set forth in the attached memorandum in support. Counsel for the appellee does not oppose this request.

Respectfully Submitted,

ROBERT L. TOBIK, ESQ.
Cuyahoga County Public Defender


Cullen Sweeney, Counsel of Record
Assistant Public Defender
Counsel for Appellant Vincent Colon

MEMORANDUM IN SUPPORT

On February 28, 2007, this Court accepted this case as both a certified conflict (Case No. 2006-2139) and as a discretionary appeal (Case No. 2006-2250). This Court ordered consolidated briefing. After briefing was complete, this Court set the case for oral argument on November 7, 2007.

With the instant motion, undersigned counsel respectfully requests that this Court reschedule the argument due to a personal conflict. Undersigned counsel's wife is due to have a baby on November 6, 2007, the day before the argument is currently scheduled. To avoid the possible conflict, undersigned counsel respectfully asks that this Court move the argument to some date after November 30, 2007. Counsel for the State does not oppose this request.

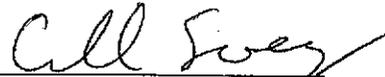
Undersigned counsel is cognizant of the scheduling burdens faced by this Court. If this Court is unable to accommodate undersigned counsel's request, he will ensure that Mr. Colon is well-represented at oral argument by another attorney from his office.

Respectfully submitted,


CULLEN SWEENEY, ESQ.
Counsel for Appellant

CERTIFICATE OF SERVICE

A copy of the foregoing Stipulated Motion was served upon William D. Mason, Cuyahoga County Prosecutor, The Justice Center, 1200 Ontario Street, 9th Floor, Cleveland, Ohio 44113 and/or a member of his staff 31 day of August 2007.



CULLEN SWEENEY, ESQ.
Assistant Public Defender
Counsel of Record for Appellant