

IN THE SUPREME COURT OF OHIO

State of Ohio, :
: :
Appellant, : Case No. 06-0294
: Case No. 06-0298
v. :
: On Appeal from the Marion County
Lee A. Crager, : Court of Appeals, Third
: Appellate District
Appellee :

APPELLANT'S CITATION TO RELEVANT AUTHORITY

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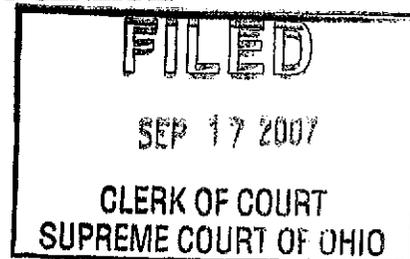
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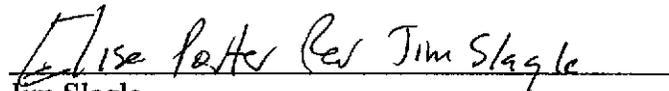


CITATION TO RELEVANT AUTHORITY

Pursuant to S.Ct.Prac.R. IX(9), the Appellant provides the following citation to additional relevant authority which has arisen since oral arguments: *Whorton v. Bockting* (2007), 127 S.Ct. 1173; *State v. Cosme* (March 29, 2007), 8th Dist. App. No. 87958, 2007-Ohio-1454; *State v. Geier* (Cal. 2007), 61 Cal. Rptr.3d 580; *Granville v. Pumphrey* (January 22, 2007), 5th Dist. App. No. 2006CA00054, 2007-Ohio-251; *Granville v. Graziano* (March 14, 2007), 5th Dist. App. No. 2006CA00070, 2007-Ohio-1152; *State v. Heinrich* (Ct. App. N.C. 2007), 645 S.E.2d 147, 151; *State v. Ruggles* (2007), Ore. App. LEXIS 1183; *State v. O'Maley* (N.H. 2007), 2007 N.H. LEXIS 151; *State v. Laturner* (Ct. App. Kan. 2007), 2007 Kan. App. LEXIS 770; *State v. Moss* (Ct. App. Ariz. 2007), 160 P.3d 1143, 1149; *State v. March* (Mo. 2007), 216 S.W.3d 663, 666; *Hinojos-Mendoza v. People* (2007), 2007 Colo. LEXIS 825.

Respectfully submitted,

Jim Slagle, Counsel of Record


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Proof of Service

I certify that a copy of this Merit Brief of Appellant State of Ohio was delivered to Kevin Collins, Attorney for Appellee, 125 S. Main Street, Marion, Ohio 43302 by placing a true copy of same in his mail depository box at the Marion County Court House on September 17, 2007, and upon Elizabeth Ellis, Attorney for Amicus Curiae Ohio Prosecuting Attorneys Association, 61 Greene Street, Xenia, Ohio 45385; Elise Porter, Attorneys for Amicus Curiae Ohio Attorney General, 30 E. Broad St., 17th Floor, Columbus, Ohio 43215; and Eric J. Allen, Attorney for Amicus Curiae Ohio Association of Criminal Defense Lawyers, 713 S. Front Street, Columbus, Ohio 43206 by mailing a true of same by regular U.S. Mail on September 17, 2007.

Elise Porter For Jim Slagle

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