

In The Supreme Court of Ohio

Case Information Statement

Case Name: State of Ohio v. Larry Gapen	Case No.: 07-1830
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I. Has this case previously been decided or remanded by this Court? Yes No

If so, please provide the Case Name: Direct appeal, State v. Gapen
Case No.: 2001-1518
Any Citation: 104 Ohio St. 3d 358 (2004)

II. Will the determination of this case involve the interpretation or application of any particular case decided by the Supreme Court of Ohio or the Supreme Court of the United States? Yes No

If so, please provide the Case Name and Citation: Strickland v. Washington, 466 U.S. 668 (1984); Wiggins v. Smith, 539 U.S. 510 (2003).

Will the determination of this case involve the interpretation or application of any particular constitutional provision, statute, or rule of court? Yes No

If so, please provide the appropriate citation to the constitutional provision, statute, or court rule, as follows:

U.S. Constitution: Sixth, Eighth and Fourteenth amends. **Ohio Revised Code:** R.C. 2953.21.
Ohio Constitution: Article 1, Section 9, 10 **Court Rule:** _____
United States Code: Title _____, Section _____ **Ohio Admin. Code:** O.A.C. _____

III. Indicate up to three primary areas or topics of law involved in this proceeding (e.g., jury instructions, UM/UIM, search and seizure, etc.):

- Ineffective assistance of trial counsel.
- Trial Court's abuse of discretion.
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IV. Are you aware of any case now pending or about to be brought before this Court that involves an issue substantially the same as, similar to, or related to an issue in this case? Yes No

If so, please identify the Case Name: _____
Case No.: _____
Court where Currently Pending: _____
Issue: _____

FILED
OCT 05 2007
CLERK OF COURT SUPREME COURT OF OHIO

Contact information for appellant or counsel:

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<u>Assistant State Public Defender</u> Address		<u>Ruth L. Tkacz</u> Signature of appellant or counsel	
<u>8 East Long Street, 11th Floor</u>	<u>Columbus, Ohio</u> City State	<u>43215</u> Zip Code	Counsel for: <u>Appellant Larry Gapen</u>