

In The Supreme Court of Ohio

Case Information Statement

Case Name: <i>State of Ohio v. Howard Clay</i>	Case No: 07 - 1852
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I. Has this previously been decided or remanded by this Court? Yes No

If so, please provide the Case Name: _____
Case No: _____
Any Citation: _____

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: *Staples v. United States* (1994), 511 U.S. 600; *Morisette v. United States* (1951), 342 U.S. 246.

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

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

U.S. Constitution: Fourteenth Amendment	Ohio Revised Code: R.C. 2923.13
Ohio Constitution: Article I, Sections 10 and 16	Court Rule:
United States Code:	Ohio Admin. Code:

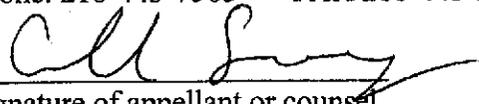
III. Indicate up to three primary areas or topics of law involved in this proceeding (e.g. jury instructions, UMTUM, search and seizure, etc.):

- 1) Due process right to notice
- 2) Sufficiency of the evidence
- 3)

IV. Are you aware of any case now pending or about to be brought 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: *State v. Clay* (Certified Conflict)
Case No.: 2007-1802
Court were Currently Pending: Ohio Supreme Court
Issue: Whether knowledge of the pending indictment is required for a conviction for having a weapon while under disability pursuant to R.C. 2923.13(A)(3) when the disability is based on a pending indictment?

OCT 10 2007
CLERK OF COURT
SUPREME COURT OF OHIO

Contact information for appellant or counsel: Name: CULLEN SWEENEY, ESQ. # 0077187 Cuyahoga County Public Defender 310 Lakeside Avenue, Suite 200 Cleveland OH 44113	Phone: 216-443-7583 FAX 216-443-3632  Signature of appellant or counsel Counsel for: Howard Clay
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