

IN THE SUPREME COURT OF OHIO

State of Ohio ex rel. Orlando Bankhead,	:	CASE NO. 07-2146
	:	
Relator,	:	
	:	
v.	:	
	:	
Terry Collins,	:	
	:	
Respondent.	:	

**ANSWER OF RESPONDENT**

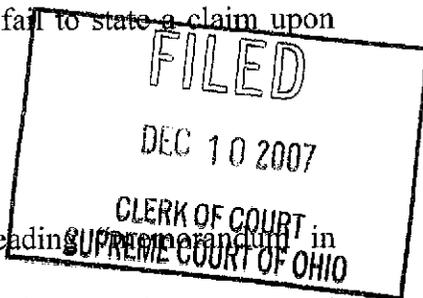
Now comes RESPONDENT, Terry Collins, by and through counsel, and for his Answer to the Petition for Writ of Mandamus, does hereby make the following admissions and denials:

**FIRST DEFENSE**

1. Relator's claims are conclusive in nature, and thereby fail to state a claim upon which relief can be granted.

**SECOND DEFENSE**

2. Respondent denies all allegations asserted under heading "Respondent to Show Cause" of Relator's Complaint, but admits that Relator is currently incarcerated at the Chillicothe Correctional Institution.
3. Respondent admits that he is the current Director of the Ohio Department of Rehabilitation and Correction.
4. Respondent is without sufficient information to admit or deny the allegations asserted under heading "Respondent to Show Cause" of Relator's Complaint.



**THIRD DEFENSE**

5. Respondent acted in good faith at all times relevant.

**FOURTH DEFENSE**

6. Relator does not have a clear legal right to the relief requested.
7. Respondent does not have a clear legal duty to perform the relief requested.
8. Relator has an adequate remedy at law.

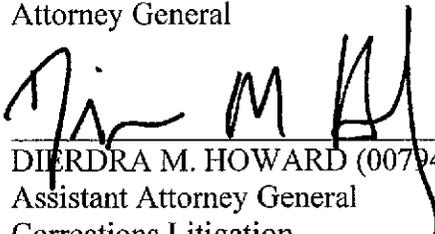
**FIFTH DEFENSE**

9. Relator has not complied with R.C. 2969.25(A), 2969.25(C) and 2969.26(A).  
Accordingly, this Petition should be dismissed on that basis alone.
10. Respondents reserve the right to assert such additional affirmative defenses as may become appropriate upon prior notice to Relator.

WHEREFORE, Respondents ask the Court to deny the instant Petition, taxing costs to the Relator.

Respectfully Submitted,

MARC DANN  
Attorney General



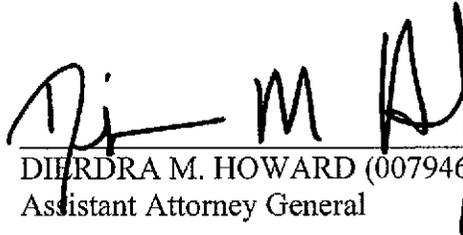
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COUNSEL FOR RESPONDENT

CERTIFICATE OF SERVICE

I hereby certify that a copy of the forgoing Answer was sent by regular U.S. Mail,  
postage prepaid, this 10<sup>th</sup> day of December 2007, to:

Orland Bankhead  
Inmate #A308-540  
Chillicothe Correctional Institution  
P.O. Box 5500  
Chillicothe, Ohio 45601

  
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DIERDRA M. HOWARD (0079466)  
Assistant Attorney General