FILED
MAR 17 2008
CLERK OF COURT
SUPREME COURT OF OHIO

The Supreme Court of Ohio

To the Clerk of Court of Common Pleas for

Summit County,

Akron, Ohio

State of Ohio

v.

Phillip L. Jones

ORDER TO CERTIFY RECORD
IN DEATH PENALTY CASE

S.C. Case No. 08-0525

C.P. Case No. CR07041294

You are hereby ORDERED, pursuant to Rule XIX, Section 4, of the Rules of Practice of the Supreme Court of Ohio, to prepare and forward the record in the above-captioned case to the Clerk's Office of the Supreme Court, no later than 90 days from the date of this entry, unless the Supreme Court grants an extension of time under Rule XIX, Section 4(C)(1).

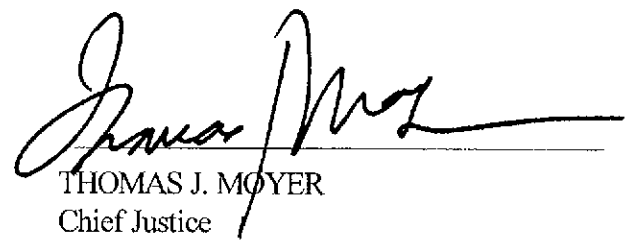
Pursuant to Rule XIX, Section 3(A) and Section 4(B)(2) the record shall consist of the following:

- The original papers filed in the trial court and exhibits to those papers;
- The transcript of proceedings, including all exhibits, and computer diskettes of the transcript, if available;
- A certified copy of the docket and journal entries prepared by the clerk of the trial court; and
- Documentary exhibits that were denied admission at trial shall; but they shall be transmitted and contained in a separate envelope with a notation that they were not admitted at trial.

Pursuant to Rule XIX, Section 4(B)(3) any evidence containing human tissue or blood samples, or any other materials that may be considered biohazard shall not be transmitted.

You are further ORDERED, pursuant to Rule XIX, Section 4(B)(1), to number the documents and exhibits comprising the record; to prepare an index of the documents and exhibits, correspondingly numbered and identified with reasonable definiteness; to briefly describe all exhibits listed in the index; and to send a copy of the index to all counsel of record in the case and transmit the index with the record to the Clerk of the Supreme Court.

You are further ORDERED, pursuant to Rule XIX, Section 4(D), to make a copy of the record and retain the copy for use in any postconviction proceeding. Pursuant to this Court's order in *In re: Reimbursement to Trial Court Clerks for Duplication of Death Penalty Records* (January 25, 1999), a trial court clerk shall be permitted reimbursement to the following extent: five cents per page for photocopying the original papers, transcript of proceedings, and documentary exhibits; the actual costs of duplicating photographs, videotapes, and audiotapes that are part of the record. Any request for reimbursement shall be filed simultaneously with the filing of the record, and reimbursement shall be subject to the availability of funds appropriated by the General Assembly.



THOMAS J. MOYER
Chief Justice