

IN THE SUPREME COURT OF OHIO

STATE OF OHIO

Appellee

-vs-

PHILLIP L. JONES

Appellant

*

CASE NO. 08-0525

*

On Appeal from the Summit County
Common Pleas Court,

*

Case No. 2007-04-1294

*

CAPITAL CASE

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MOTION TO ENLARGE TIME TO FILE TRANSCRIPT

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FILED

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CLERK OF COURT
SUPREME COURT OF OHIO

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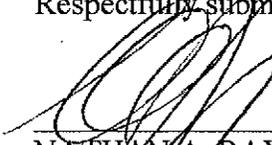
Appellant

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MOTION TO ENLARGE TIME TO FILE TRANSCRIPT

Now comes the Appellant, PHILLIP L. JONES, by and through undersigned counsel and respectfully moves this Court for an additional amount of time within which to file the transcript in this case. The basis for this request is set forth in the attached affidavit submitted by the court reporter Gary A. Maharidge.

Respectfully submitted,



NATHAN A. RAY #0041570
LAWRENCE J. WHITNEY #0023738
Attorneys for Appellant
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Akron, Ohio 44308
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PROOF OF SERVICE

I hereby certify that a copy of the foregoing has been mailed by regular U.S. Mail this
25th day of April, 2008, to Sherri Bevan Walsh, Prosecuting Attorney, 53 University
Avenue, Akron, Ohio 44308.



NATHAN A. RAY
LAWRENCE J. WHITNEY
Counsel for Appellant

STATE OF OHIO)
)
COUNTY OF SUMMIT)

AFFIDAVIT

being duly sworn, GARY A. MAHARIDGE, says as follows

1. I am the official court reporter in State of Ohio vs. Phillip Jones, Case No. 2007 04 1294, Ohio Supreme Court Case No. 08-0525. The approximate length of the transcript is 2,700 pages. Presently the transcript is due in the Ohio Supreme Court on May 14, 2008. I received the praecipe for the transcript on March 14, 2008.

2. I was the official court reporter of State of Ohio vs. Darrell Jones, Case No. 2006-07-2670 A, Court of Appeals No. 23875, which was due on May 8, 2008. That has just been completed and will be filed before May 7, 2008.

3. I was the official court reporter on State of Ohio vs. Marcus Morrow, Case No. 2007-04-1148, Court of Appeals No. 23960. I received the praecipe on November 16, 2007. Due to the trial of State v. Phillip Jones and mitigation hearing, I was not able to file this transcript until February 21, 2008.

4. I have been diligently working on this transcript, State of Ohio vs. Phillip Jones, from its inception and am close to completion but need a 30-day extension to June 15, 2008, in order to complete this transcript due to time requirements required in the above stated cases, plus demands of the court and various smaller requests for transcript that come week to week.

6. This is the first request for an extension and is not for delay purposes.

(Written signature) 
(Typed name) Gary A. Maharidge

Sworn to and subscribed in my presence this 22 day of May, 2008

(Signed)  Kandi S. O'Connor
Notary Public, State of Ohio Attorney at law
(Resident County- Summit

My Commission expires NO EXPIRATION.