

IN THE SUPREME COURT OF OHIO

STATE OF OHIO : Case No. 2007-1427  
Appellee :  
-vs- : On Appeal from the  
ANDREW FERGUSON : Cuyahoga County Court  
Appellant : of Appeals, Eighth  
District Court of Appeals  
CA: 88450

**APPELLANT'S NOTICE OF ADDITIONAL AUTHORITY**

Pursuant to S.Ct. R. IX, Section 8, Appellant hereby notifies this Honorable Court of his desire to discuss during oral argument additional authority, each of which is a case decided by this Court on April 9, 2008, and each of which was summarily decided on the basis of *Hyle v. Porter*, 117 Ohio St.3d 165, 2008 Ohio 542. The discussion of these cases, cited in boldface below, may also entail a discussion of the previous decisions of the district courts of appeals, whose citations have also been included.

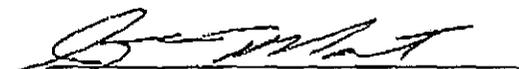
***Nasal v. Dover*, 2008 Ohio 1592: 169 Ohio App.3d 262, 2006 Ohio 5584, aff'd.**

***State v. Mutter*, 2008 Ohio 1591: 171 Ohio App.3d 563, 2007 Ohio 1052, aff'd.**

***State ex rel. White v. Billings*, 2008 Ohio 1590: 2007 Ohio 4356, rev'd.**

***Franklin County Prosecuting Attorney v. Walker*, 2008 Ohio 1589: 2007 Ohio 5095, rev'd.**

Respectfully Submitted,



JOHN T. MARTIN, ESQ.  
CULLEN SWEENEY, ESQ.  
Assistant Public Defenders

FILED

APR 28 2008

CLERK OF COURT  
SUPREME COURT OF OHIO

CERTIFICATE OF SERVICE

A copy of the foregoing Notice was hand-delivered upon William Mason, Cuyahoga County Prosecutor and or a member of his staff, The Justice Center - 9th Floor, 1200 Ontario Street, Cleveland, Ohio 44113 this 28th day of April, 2008.

  
JOHN T. MARTIN, ESQ.