

Now comes the State of Ohio-Appellee, by and through its counsel, Greene County Assistant Prosecuting Attorney, Elizabeth A. Ellis, and respectfully moves this Court pursuant to Rule XIV, Section 3(B)(2)(b) for an extension of time in which to file the State's merit brief in the above matter. Specifically, said motion moves the Court for an extension of ten days from the previously scheduled due date for said brief, namely, June 26, 2008.

The State of Ohio, through counsel, and represents to the Court that said request for an extension of time properly serves the interests of justice, and further, the State represents that it does intend to file a merit brief in said appeal. The State of Ohio did contact Counsel for the Appellant in this matter to determine if she has any objections to this extension. Mrs. Miller is out of the office this week, but the undersigned did speak with Mrs. Miller's assistant, who did not believe that Mrs. Miller would have any objection since the State stipulated to her extension request.

Respectfully submitted,

OFFICE OF THE GREENE COUNTY
PROSECUTING ATTORNEY

By: 
Elizabeth A. Ellis (0074332)
Assistant Prosecuting Attorney
61 Greene Street
Xenia, Ohio 45385
Phone: (937) 562-5250
Attorney for State of Ohio-
Appellee

PROOF OF SERVICE

It is hereby certified that a copy of the foregoing Motion for Extension/Enlargement of Time has been served upon Angela Miller, Assistant State Public Defender, 8 East Long Street, 11th FL, Columbus, Ohio 43215 by regular U.S. Mail the date same was filed of record.

A handwritten signature in cursive script, appearing to read "G. J. ...", is written over a horizontal line.