

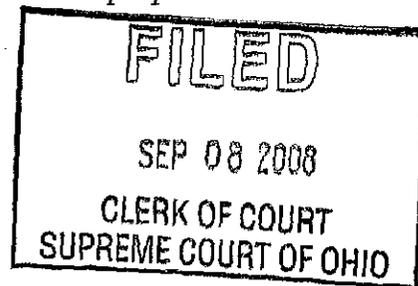
**IN THE
SUPREME COURT OF OHIO**

STATE OF OHIO	:	NO. 2007-0268
Plaintiff-Appellee,	:	
vs.	:	On Appeal from the Hamilton County Court of Appeals, First Appellate
DANIELLE SMITH	:	District
Defendant-Appellant.	:	Court of Appeals Case No. C060077

**MOTION FOR LEAVE TO FILE
STIPULATION OF EXTENSION OF TIME TO FILE
MERIT BRIEF OF DEFENDANT-APPELLANT**

Now comes Defendant-Appellant, Danielle Smith, by and through counsel, and pursuant to S.Ct.Prac.R. XIV, Section 3, Div. (B)(2)(a), she hereby moves this Court for leave to file the Stipulation of Extension to File her Merit Brief which is being filed contemporaneously herewith.

Defendant-Appellant so moves this Court on the basis that she has been requested to file a Merit Brief on a new proposition of law pursuant to this Court's Reconsideration Entry filed on August 6, 2008. Although Defendant-Appellant requested an extension once in this case, it was for the first Merit Brief that was filed and argued last year. A decision was made by this Court on the first Merit Brief earlier this year. Appellant filed a Motion to Reconsider, but instead of reconsidering the proposition of law previously raised, the Court has asked counsel to submit a Brief on a new proposition of law. As a



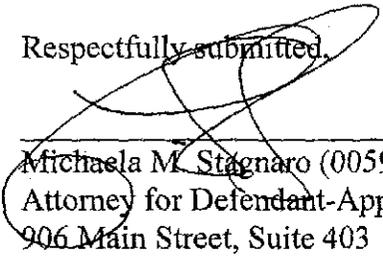
result, Appellant respectfully requests that since this is a new merit brief, based upon a new issue, that she be allowed to file the Stipulation of Extension of Time to File.

Appellant further states that the extension is necessary due to Appellant's current trial and appellate caseload. Currently, Appellant's Merit Brief is due to be filed on September 12, 2008. Appellant starts a felony jury trial on Monday, September 8, 2008, which is expected to last most of the week. In addition, Appellant has filed ten appellate briefs within the last thirty days between the First and Twelfth Appellate Districts. In addition, Appellant has nine more appellate briefs due to be filed by the end of September, several deadlines of which have already been extended.

Appellant needs the additional time to prepare a worthy Brief for this Court. There is no objection by opposing counsel who is in need of the extension herself due to her extensive appellate caseload.

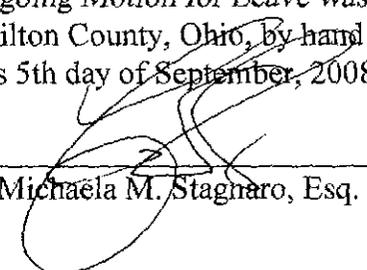
WHEREFORE, Appellant respectfully moves for leave to file the Extension of Time to File her Merit Brief as requested in the Stipulation itself and for any and all other relief to which she may be entitled.

Respectfully submitted,


Michaela M. Stagnaro (0059479)
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion for Leave was duly served upon the Asst. Prosecuting Attorney for Hamilton County, Ohio, by hand delivery, and upon the Appellant, by regular U.S. Mail, this 5th day of September, 2008.



Michaela M. Stagnaro, Esq.

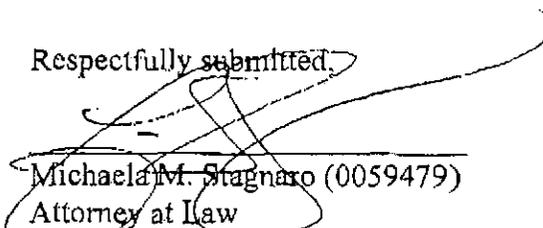
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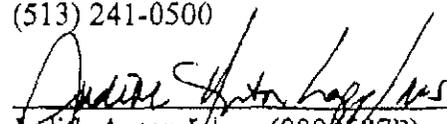
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STIPULATION OF EXTENTION OF TIME TO FILE
MERIT BRIEF OF DEFENDANT-APPELLANT

Now come the parties, by and through their respective counsel, and pursuant to S.Ct.Prac.R. XIV, Section 3, Div. (B)(2)(a), they hereby stipulate that Defendant-Appellant shall have until October 2, 2008 within which to file her merit brief in this case.

Respectfully submitted,


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per file.
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