

IN THE SUPREME COURT OF OHIO

ROMAN CHOJNACKI, :
 :
 Appellant, : Case Nos. 2008-0991 and 2008-0992
 :
 v. : On Appeal from the Warren
 : County Court of Appeals
 : Twelfth Appellate District
 NANCY ROGERS, Ohio Atty. General, : Court of Appeals
 : Case No. CA200803040
 in her Official Capacity, :
 :
 Appellee. :

NOTICE OF INTENTION NOT TO FILE A SUPPLEMENT

RACHEL HUTZEL # 0055757
Warren County Prosecutor

Office of the Ohio Public Defender

MARY MARTIN #0076298
Assistant Prosecutor
(COUNSEL OF RECORD)

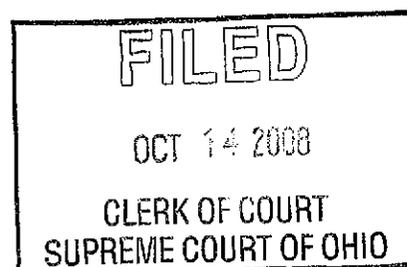
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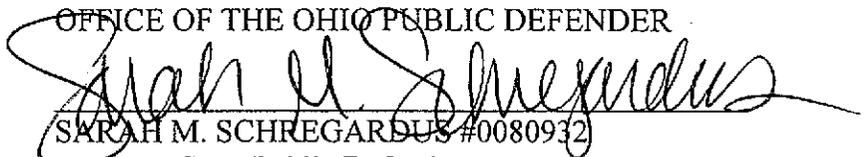


NOTICE OF INTENTION NOT TO FILE A SUPPLEMENT

Appellant Roman Chojnacki gives this Court notice of his intention not to file a supplement to the record provided by the Warren County clerk's office . S.Ct. R. VII, Sec. 1(B). Because this Court has not yet determined the nature of Senate Bill 10 reclassification procedures, and in a good-faith attempt to comply with the Supreme Court Rules of Practice, Appellant Chojnacki has complied with the S.Ct.R. VII which applies to all civil cases. This is not an indication that Appellant waives any argument that Senate Bill 10 is criminal in nature.

Respectfully submitted,

OFFICE OF THE OHIO PUBLIC DEFENDER



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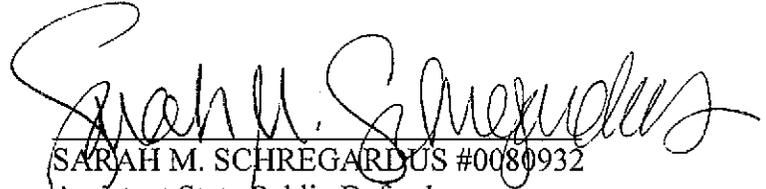
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COUNSEL FOR ROMAN CHOJNACKI

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing **Notice of Intention Not to File a Supplement** was forwarded by regular U.S. Mail, postage prepaid to Mary Martin, Warren County Assistant Prosecutor, Warren County Courthouse, 500 Justice Drive, Lebanon, Ohio, 45036 this 14th day of October, 2008.



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