

NO. 2008-2037

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IN THE SUPREME COURT OF OHIO

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APPEAL FROM  
THE COURT OF APPEALS FOR CUYAHOGA COUNTY, OHIO  
NO. 89726

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STATE OF OHIO,

Plaintiff-Appellee, Cross-Appellant

v.

KEVIN WILLIAMS

Defendant-Appellant, Cross-Appellee.

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MOTION TO WITHDRAW WAIVER OF MEMORANDUM IN RESPONSE

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Counsel for Plaintiff-Appellee, Cross-Appellant

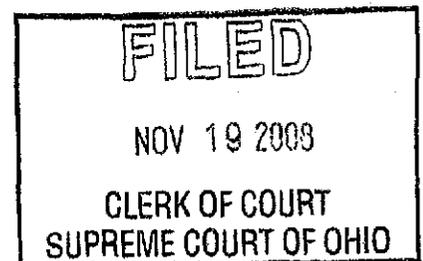
**WILLIAM D. MASON**  
**CUYAHOGA COUNTY PROSECUTOR**

**KRISTEN L. SOBIESKI (0071523)**  
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Now comes state of ohio and withdraws the waiver of Memorandum in Response to Jurisdiction filed in State v. Kevin Williams, Supreme Court case no. 08-2037, filed on November 10, 2008 for the reasons in the attached motion, consolidated herewith.

Respectfully submitted,

WILLIAM D. MASON  
CUYAHOGA COUNTY PROSECUTOR

By:

*Kristen Sobieski* (by *Sever* *Aaylor* 0043876)  
*per authority*

KRISTEN L. SOBIESKI (0071523)

Assistant Prosecuting Attorney  
The Justice Center, 8th Floor  
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(216) 443-7800

**Brief in Support**

The undersigned is an Assistant Prosecuting Attorney for Cuyahoga County who has contemporaneously herewith filed Cross-appellant-appellee's Memorandum in Response to Jurisdiction of issues in the above-captioned matter, State of Ohio v. Kevin Williams, 08-2037. For this reason, the State respectfully moves to withdraw its previously filed waiver.

Respectfully submitted,

WILLIAM D. MASON  
CUYAHOGA COUNTY PROSECUTOR

By: Kristen Sobieski (by SET per authority)

KRISTEN L. SOBIESKI (0071523)  
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**SERVICE**

A copy of the foregoing Motion to Withdraw Waiver of Memorandum In Response has been mailed this 20th day of November, 2008, to:

Counsel for Defendant-Appellant, Cross-Appellee

**ROBERT L. TOBIK, ESQ.**  
Cuyahoga County Public Defender

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