

IN THE SUPREME COURT OF OHIO

STATE OF OHIO

Plaintiff-Appellant,

vs.

THONEX WILLIAMS

Defendant-Appellee.

08-2424
S.Ct. Case No. 08-

On Appeal from the
Montgomery County
Court of Appeals,
Second Appellate District

Court of Appeals
Case No. CA 22532
Trial Ct. No. 2005-CR-5174

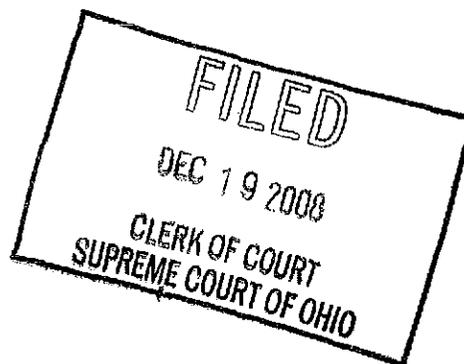
MOTION FOR LEAVE TO FILE UNDER SEAL
APPELLANT, THE STATE OF OHIO

MATHIAS H. HECK, JR.
PROSECUTING ATTORNEY
By **CARLEY J. INGRAM**
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APPELLEE**

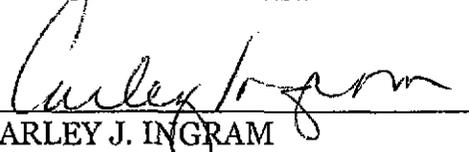


Motin for Leave to File Under Seal

In a separate motion, the State has asked this Court to stay the November 26, 2008 decision of the Court of Appeals invalidating R.C. 2945.39. In that motion the State referred to a report dated April 17, 2008, which was prepared by a psychologist at Twin Valley Behavioral Healthcare and submitted to the court in connection with the statutory six-month review of the commitment. At the mandatory hearing, counsel stipulated to the contents of the report, and the court referred to it in its order of commitment. Because the report contains sensitive personal information about Williams and his condition that the State believes will be useful to the court in deciding the motion for a stay but not useful to anyone else, the State asks that it be filed under seal as an appendix to the motion.

Respectfully submitted,

MATHIAS H. HECK, JR.
PROSECUTING ATTORNEY

By: 

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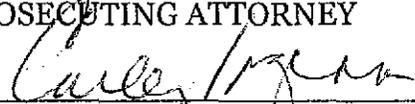
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ATTORNEY FOR STATE OF OHIO,
PLAINTIFF-APPELLANT

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion was sent by first class mail on this 18th day of December, 2008, to the following: Anthony Comunale, 130 West Second Street, Suite 2050, Dayton, Ohio 45402.

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