

IN THE SUPREME COURT OF OHIO

STATE OF OHIO,

Plaintiff-Appellee,

vs.

MICHAEL LUPARDUS,

Defendant-Appellant.

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Case No. **08-2487**

On Appeal from the Washington  
County Court of Appeals  
Fourth Appellate District

Case No. 08 CA 31

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**NOTICE OF PENDING MOTION TO CERTIFY A CONFLICT**

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OFFICE OF THE OHIO PUBLIC DEFENDER

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Assistant Law Director  
(COUNSEL OF RECORD)

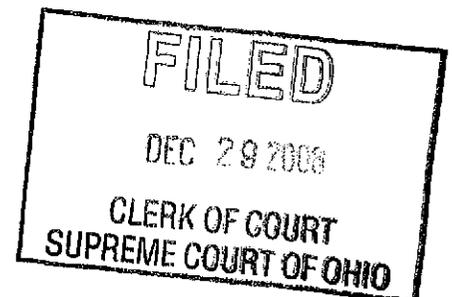
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MICHAEL LUPARDUS



**NOTICE OF PENDING MOTION TO CERTIFY A CONFLICT**

Appellant Michael Lupardus hereby gives notice that a motion to certify a conflict in Case No. 08 CA 31 is pending in the Fourth District Court of Appeals. S. Ct. Prac. R. II, Section 2(B)(3), and S. Ct. Prac. R. IV, Section 4(A). Appellate counsel filed the motion on November 23, 2008, and the Court of Appeals has not yet rendered a decision.

Respectfully Submitted,

OFFICE OF THE OHIO PUBLIC DEFENDER

*Sarah M. Schregardus by Kenneth A. Spirit, 0038804, per auth.*  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing NOTICE OF PENDING MOTION TO CERTIFY A CONFLICT has been by regular U.S. mail to Mark Sleeper, Assistant Law Director, 301 Putnam Street, Marietta, Ohio 45750, on this 29<sup>th</sup> day of December , 2008.

*Sarah M. Schregardus by Kenneth A. Spirit, 0038804, per auth.*  
SARAH M. SCHREGARDUS #0080932  
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