

BEFORE THE SUPREME COURT OF OHIO

STATE OF OHIO

CASE NOS.: 2008-0853
2008-0858

PLAINTIFF-APPELLANT

ON APPEAL FROM CASE NO. 07 MA 71
BEFORE THE COURT OF APPEALS FOR
THE SEVENTH APPELLATE DISTRICT

-vs-

JESSICA DEROV

DEFENDANT-APPELLEE

JOINT MOTION FOR LEAVE TO PERMIT *AMICUS CURIAE*, OHIO
ASSOCIATION OF CRIMINAL DEFENSE LAWYERS (OACDL) TO PRESENT
ORAL ARGUMENT WITHIN THE TIME ALLOTTED TO THE APPELLEE

PAUL J. GAINS, 0020323
MAHONING COUNTY PROSECUTOR

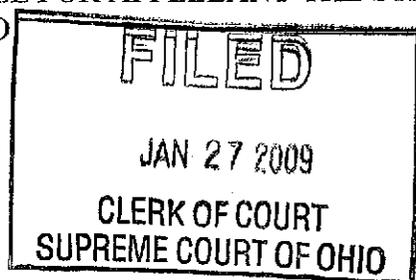
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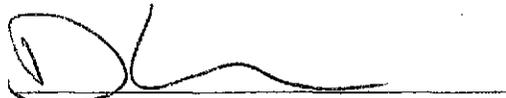
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Now come *Amicus Curiae*, Ohio Association of Criminal Defense Lawyers (OACDL) and Appellee, Jessica Derov, by and through the below signed counsel and move this Honorable Court, pursuant to Rule IX Section 6 of the Rules of Practice of the Supreme Court of Ohio, for leave to permit said *amicus curiae* to present oral argument within the time allotted to the Appellee. It is anticipated that, if such leave is granted, Appellee and Amicus Curiae will divide the allotted time as follows; twelve minutes to Appellee, three minutes to Amicus Curia, OACDL.

WHEREFORE, leave is hereby requested to permit *Amicus Curiae*, Ohio Association of Criminal Defense Lawyers (OACDL) to present oral argument within the time allotted to Appellee.



Timothy Huey (0023598)
Scott R. Cochran (0065497)
Attorneys for Amicus Curiae
Ohio Association of Criminal Defense Lawyers



(Signed by Tim Huey per auth)
Robert C. Kokor, 0062326
Attorney for Defendant-Appellee, Jessica Derov

CERTIFICATE OF SERVICE

I certify that a copy of the Merit Brief of Amicus Curiae O.A.C.D.L. on Behalf of Appellee was sent by ordinary U.S. mail to counsel for Appellant, Paul J. Gains, Rhys B. Cartwright, Jones and Ralph M. Rivera of the Office of the Mahoning County Prosecutor, 21 W. Boardman Street, 6th Floor, Youngstown, Ohio 44503-1426; to counsel for Amicus Curiae Mothers Against Drunk Driving (MADD), Attorney Tim Van Eman 500 S. Front St. Suite 200 Columbus, Ohio 43215; to counsel for Amicus Curiae City of Youngstown, Attorney Joseph R. Macejko, City Prosecutor's Office 26 S. Phellps St., 4th Floor, Youngstown, Ohio 44503; to counsel for Amicus Curiae Ohio Attorney General Nancy H. Rogers, Attorney Nancy H. Rogers, Attorney Benjamin C. Mizer, Attorney Michael Dominic Meuti, Attorney Jason Patrick Small 30 East Broad St., 17th Floor Columbus, Ohio 43215 on this ~~27th~~ day of October, ~~2008~~.

27th day of January 2009



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Attorneys for Amicus Curiae O.A.C.D.L.