

IN THE SUPREME COURT OF OHIO

Case No. 09-0273

State of Ohio, :  
Appellee, :  
v. :  
Barry A. Mentser, :  
Appellant. :

On Appeal from the  
Warren County Court  
of Appeals, Twelfth  
Appellate District  
  
Court of Appeals  
Case Nos. CA2008-06-075  
CA2008-06-076

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**NOTICE OF APPEAL**  
**FOR APPELLANT BARRY A. MENTSER**

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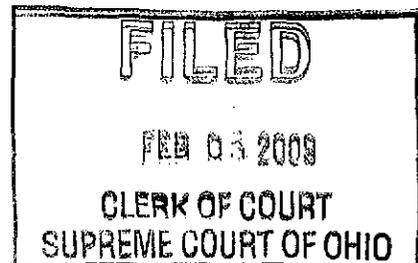
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and

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Assistant Prosecuting Attorney  
Counsel for Plaintiff-Appellee

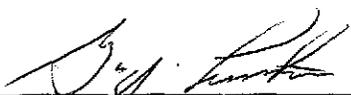


**Notice of Appeal of Appellant Barry A. Mentser**

Appellant hereby gives notice of appeal to the Supreme Court of Ohio from the judgment of the Warren County Court of Appeals, Twelfth Appellate District, entered in Court of Appeals Case Nos. CA2008-06-075 and CA2008-06-076 on December 22, 2008.

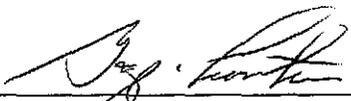
This case raises substantial constitutional questions and is one of public or great general interest.

Respectfully submitted,

By:   
George C. Luther, Counsel of Record

**PROOF OF SERVICE**

I certify that a copy of this notice of appeal was sent by regular U.S. mail to Mary K. Martin, Assistant Warren County Prosecutor, 500 Justice Drive, Lebanon, OH 45036, on the 5<sup>th</sup> day of February, 2009.

  
George C. Luther 0031940  
Counsel for Defendant-Appellant