

NO. 2008-1452

IN THE SUPREME COURT OF OHIO

APPEAL FROM
THE COURT OF APPEALS FOR CUYAHOGA COUNTY, OHIO
NO. 89964

STATE OF OHIO,
Plaintiff-Appellant

-vs-

CLEVELAND CARGILE,
Defendant-Appellee

NOTICE OF SERVICE

Counsel for Plaintiff-Appellant

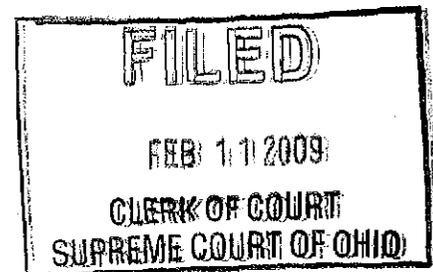
WILLIAM D. MASON
CUYAHOGA COUNTY PROSECUTOR

KRISTEN L. SOBIESKI (0071523)
Assistant Prosecuting Attorney
The Justice Center, 8th Floor
1200 Ontario Street
Cleveland, OH 44113
216.443.7800

Counsel for Defendant-Appellee

JEROME EMOFF
55 Public Square, No. 950
Cleveland, OH 44113

OFFICE OF THE OHIO PUBLIC DEFENDER
MELISSA M. PRENDERGAST
Assistant State Public Defender
8 East Long Street, 11th Floor
Columbus, OH 43215



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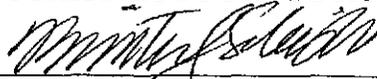
CLEVELAND CARGILE,
Defendant-Appellee

NOTICE OF SERVICE

On February 10, 2009 this Honorable Court issued a decision denying the Ohio Public Defender's motion to dismiss appeal. *State v. Cargile*, Slip Opinion. No. 2009-Ohio-477. Pursuant to the order of this Court, the State of Ohio hereby provides notice that a copy of the Notice of Appeal in the above-captioned matter (Exhibit 1) was sent to the Office of the Ohio Public Defender via United States Mail on this 10th day of February 2009.

Respectfully submitted,

WILLIAM D. MASON
CUYAHOGA COUNTY PROSECUTOR



Kristen L. Sobieski (0071523)
Assistant Prosecuting Attorney
The Justice Center, 8th Floor
1200 Ontario Street
Cleveland, OH 44113
216-443-7800

SERVICE

A true and accurate copy of the foregoing Notice has been sent this 10th
day of February 2009 to the following:

Office of the Ohio Public Defender
Melissa M. Prendergast
Assistant State Public Defender
8 East Long Street, 11th Floor
Columbus, OH 43215

And

Counsel for Cleveland Cargile
Jerome Emoff
Dworken & Bernstein Co., L.P.A.
60 South Park Place
Painesville, OH 44077


Assistant Prosecuting Attorney

NO.

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NOTICE OF APPEAL TO THE SUPREME COURT OF OHIO

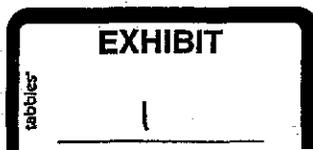
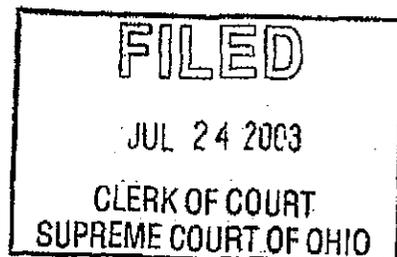
Counsel for Plaintiff-Appellant

WILLIAM D. MASON
Cuyahoga County Prosecutor

KRISTEN L. SOBIESKI (0071523)
Assistant Prosecuting Attorney
The Justice Center
1200 Ontario Street
Cleveland, Ohio 44113
(216) 443-7800

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NOTICE OF APPEAL TO THE SUPREME COURT OF OHIO

Now comes the State of Ohio and hereby gives Notice of Appeal to the Supreme Court of Ohio from a judgment and final order of the Court of Appeals for Cuyahoga County, Ohio, Eighth Judicial District, journalized June 10, 2008 which vacated the decision of the trial court. *09 PER PHONE APPROVAL BY S. MAHER 0032279*

Said cause did not originate in the Court of Appeals and involves a felony.

Respectfully submitted,

WILLIAM D. MASON
CUYAHOGA COUNTY PROSECUTOR

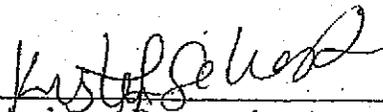
BY:

Kristen L. Sobieski

KRISTEN L. SOBIESKI (0071523)
Assistant Prosecuting Attorney
1200 Ontario Street, 8th Floor
Cleveland, Ohio 44113
216.443.7800

SERVICE

A copy of the foregoing Notice of Appeal has been mailed this 23rd day of July 2008, to Jerome Emoff, 55 Public Square #850, Cleveland, Ohio 44113.



Assistant Prosecuting Attorney