

IN THE SUPREME COURT OF OHIO

STATE OF OHIO,

Appellee,

V.

TONY SMITH,

Appellant.

CASE NO.

09-0499

On appeal from Ohio's Ninth District
Court of Appeals – Case No. 24246

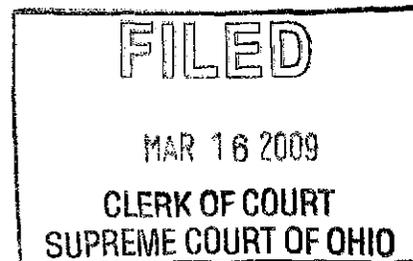
NOTICE OF APPEAL BY APPELLANT TONY SMITH

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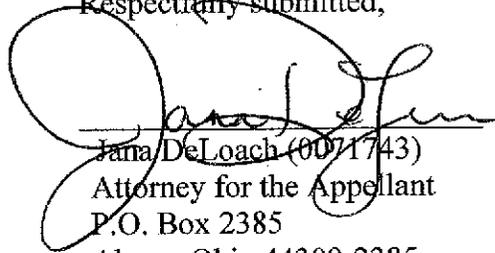


Notice of Appeal of Appellant Tony Smith

Appellant Tony Smith hereby gives notice of Appeal to the Supreme Court of Ohio from the judgment issued by the Ninth Appellate District, in Case No. CA 24247 on January 28, 2009.

This case raises substantial constitutional questions and are questions of public or great general interest. Furthermore, with respect to Post Release Control, the opinion issued by the Ninth District Court of Appeals is in direct conflict with this Court's opinion in State v. Simpkins (2008), 117 Ohio St.3d 420.

Respectfully submitted,



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By Meredith DeLoach

CERTIFICATE OF SERVICE

I hereby certify that the foregoing motion was served upon the Summit County Prosecutor's office by way of regular mail on this 16th day of March, 2009, at 53 University Ave, 7th Floor, Akron, Ohio 44308.



JANA DELOACH
Attorney for the Appellant