

IN THE SUPREME COURT OF OHIO

STATE OF OHIO,)

Plaintiff-Appellee,)

v.)

DOUGLAS PRADE,)

Defendant-Appellant.)

09-0605

On Appeal from the
Summit County Court of Appeals
Ninth Appellate District

Court of Appeals
Case No. 24296

NOTICE OF APPEAL OF APPELLANT DOUGLAS PRADE

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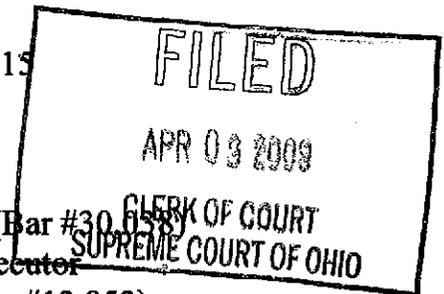
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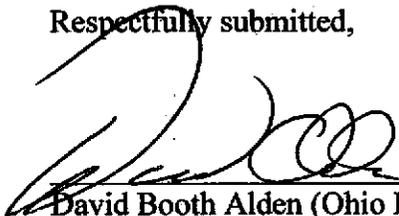
Notice of Appeal of Appellant Douglas Prade

Appellant Douglas Prade hereby gives notice of appeal to the Supreme Court of Ohio from the judgment of the Summit County Court of Appeals, Ninth Appellate District, entered on February 18, 2009 in Court of Appeals Case No. 24296.

This case presents a question of the interpretation Ohio's postconviction DNA testing statute. Specifically, it presents a question of interpreting (1) R.C. 2953.74(A)'s prohibition on DNA testing for convicted inmates when there was "a prior definitive DNA test;" and (2) R.C. 2953.74(B)'s requirement that persons seeking postconviction DNA testing show that new DNA test results would be "outcome determinative." It is one of great public importance.

April 3, 2009

Respectfully submitted,



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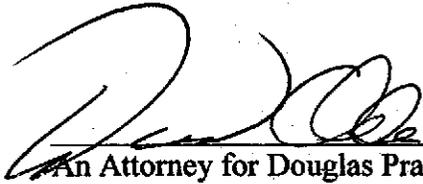
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CERTIFICATE OF SERVICE

A copy of the foregoing document was served this 3d day of April, 2009, by U.S. Mail, postage prepaid, on (1) Sherri Bevan Walsh, Prosecuting Attorney, and Richard S. Kasay, Assistant Prosecuting Attorney, Appellate Division, Summit County Safety Building, 53 University Avenue, Akron, Ohio 44308; and (2) Richard Cordray, Ohio Attorney General, Ohio Attorney General's Office, DNA Testing Unit, 150 East Gay Street, 16th Floor, Columbus, Ohio 43215.


An Attorney for Douglas Prade