

ORIGINAL

IN THE SUPREME COURT OF OHIO

STATE OF OHIO
Plaintiff-Appellant,

CASE NUMBERS: 2008-2127
2008-2249

v.

ON APPEAL FROM THE LOGAN
COUNTY COURT OF APPEALS, THIRD
APPELLATE DISTRICT

JOHN ROHRBAUGH,
Defendant-Appellant.

COURT OF APPEALS
CASE NO.: 8-07-28

STIPULATED MOTION FOR EXTENSION OF TIME
TO FILE APPELLANT'S MERIT BRIEF

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Chief Assistant Prosecutor

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JUN 08 2009
CLERK OF COURT
SUPREME COURT OF OHIO

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SUPREME COURT OF OHIO

MOTION

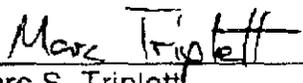
On April 22, 2009, this Court accepted this case as both a certified conflict (Case No. 2008-2249) and as a discretionary appeal (Case No. 2008-2127. This Court ordered consolidated briefing. The record was filed with the Clerk's Office on April 28, 2009. Appellant's merit brief is currently due on June 8, 2009.

Pursuant to S.Ct.R. XIV, Section 3, counsel for the Appellant, State of Ohio, and counsel for Appellee, John Rohrbaugh, hereby stipulate to a twenty-day extension of time for Appellant's brief to be filed. Pursuant to stipulation, the new due date for Appellant's brief is June 29, 2009.

Respectfully Submitted,



Eric C. Stewart
Counsel for Appellant

 (per phone approval)

Marc S. Triplett
Counsel for Appellee

6-8-09

CERTIFICATE OF SERVICE

A copy of the foregoing Stipulated Motion was served upon Attorney Marc Triplett by placing it in the box provided for such service in the Common Pleas Court of Logan County, Ohio on this 8th day of June, 2009.



Eric C. Stewart
Counsel for Appellant