

IN THE SUPREME COURT OF OHIO

STATE OF OHIO,	)	Case No. 2009-1149
	)	
Plaintiff-Appellant,	)	On Appeal from the
	)	Lake County Court of Appeals,
v.	)	Eleventh Appellate District
	)	
JAMES LESLIE DYE,	)	
	)	Court of Appeals Case No. 2008-L-106
Defendant-Appellee.	)	

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**MOTION FOR EXPEDITED CONSIDERATION OF MOTION FOR A STAY  
OF COURT OF APPEALS JUDGMENT**

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CHARLES E. COULSON (0008667)  
PROSECUTING ATTORNEY  
LAKE COUNTY, OHIO

Teri R. Daniel (0082157) (COUNSEL OF RECORD)  
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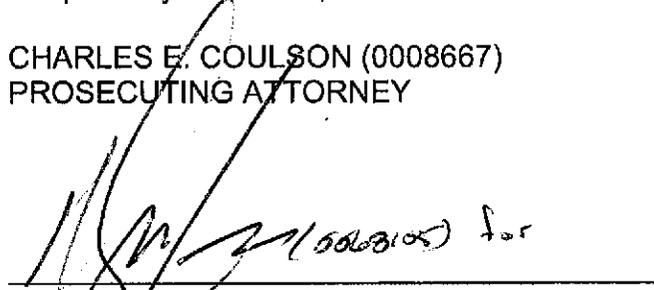
COUNSEL FOR APPELLEE, JAMES LESLIE DYE

**FILED**  
JUN 24 2009  
CLERK OF COURT  
SUPREME COURT OF OHIO

Now comes the State of Ohio, by and through Charles E. Coulson, Lake County Prosecuting Attorney, and Teri R. Daniel, Assistant Prosecuting Attorney, and respectfully requests that this Honorable Court expedite its consideration of the motion for a stay of the court of appeals judgment, which filed this morning. After the State mailed its motion, the Eleventh District Court of Appeals issued an entry ordering the immediate release of the defendant from prison. See attached Judgment Entry. For the reasons discussed in the State's motion for a stay, the defendant is a danger to the community, and an order from this Honorable Court is necessary to prevent the execution of the Eleventh District's order pending the State's appeal. The State has been advised by the Bureau of Sentence Computation that the defendant will be released today.

Respectfully submitted,

CHARLES E. COULSON (0008667)  
PROSECUTING ATTORNEY

A handwritten signature in black ink, appearing to read "Teri R. Daniel" with a date "1/15/08" and the word "for" written below it.

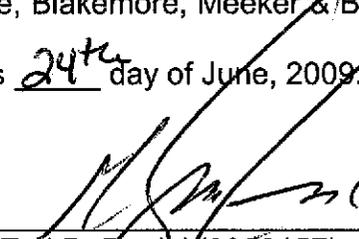
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TRD/klb

PROOF OF SERVICE

A copy of the foregoing Motion for Expedited Consideration of Motion for a Stay of Court of Appeals Judgment was sent by regular U. S. Mail, postage prepaid, to counsel for the appellant, Michael B. Bowler, Esquire, Blakemore, Meeker & Bowler Co., L.P.A., 19 North High Street, Akron, OH 44308, this 24<sup>th</sup> day of June, 2009.

  
\_\_\_\_\_  
Teri R. Daniel (0082157) for  
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TRD/klb

STATE OF OHIO )  
 )SS.  
COUNTY OF LAKE )

IN THE COURT OF APPEALS  
ELEVENTH DISTRICT

STATE OF OHIO,  
Plaintiff-Appellee,

JUDGMENT ENTRY  
CASE NO. 2008-L-106

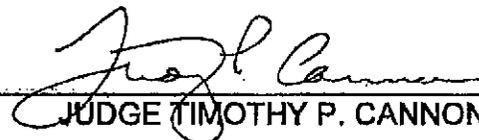
- VS -

JAMES LESLIE DYE,  
Defendant-Appellant.

FILED  
COURT OF APPEALS  
JUN 24 2009  
MAUREEN G. KELLY  
CLERK OF COURT  
LAKE COUNTY, OHIO

Pursuant to the opinion and judgment entry announced in this case on or about June 19, 2009, appellant shall be immediately released. The clerk shall serve this judgment entry upon the parties, the warden or superintendent of the correctional facility wherein appellant is housed, and the Bureau of Sentence Computation.

It is so ordered.

  
JUDGE TIMOTHY P. CANNON

FOR THE COURT