

IN THE SUPREME COURT OF OHIO

ORIGINAL

STATE OF OHIO, : Case No. 2005-2436  
Appellee/Respondent :  
v. :  
JAMES TRIMBLE, :  
Appellant/Petitioner : DEATH PENALTY CASE

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APPELLANT TRIMBLE'S MOTION FOR STAY OF EXECUTION

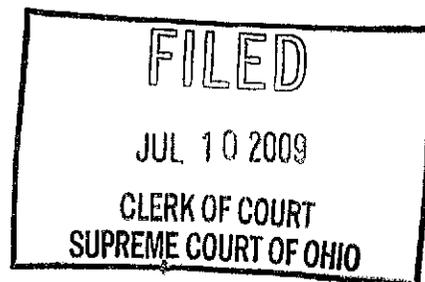
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Now comes Appellant, James Trimble, through counsel and moves this Court to grant him a stay of execution. The reasons for this motion are more fully addressed in the attached Memorandum in Support.

Respectfully submitted,

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MEMORANDUM IN SUPPORT

On June 30, 2009, this Court denied Appellant Trimble's capital direct appeal. Concurrently, this Court set an execution date of September 29, 2009, for Appellant.

Appellant moves this Court to grant him a stay of execution based on the fact that he will be filing a Petition for Writ of Certiorari with the United States Supreme Court. According to Supreme Court Rule 13, the Petition is due on September 28, 2009.

Additionally, Trimble has a Memorandum in Support of Jurisdiction, Case No. 2009-0116, currently pending before this Court.

Based on the foregoing, Appellant moves this Court to grant him a stay of the September 29, 2009, execution date and for the stay to continue throughout the remainder of the proceeding before the Supreme Court and post-conviction litigation.

Respectfully submitted,

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### CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing APPELLANT TRIMBLE'S MOTION FOR STAY OF EXECUTION was sent by first-class U.S. mail to Ms. Pamela Holder, Assistant Portage County Prosecutor, 466 S. Chestnut Street, Ravenna, Ohio 44266, on this 10<sup>th</sup> day of July, 2009.

By: Kathryn L. Sandford  
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