

ORIGINAL

In the
Supreme Court of Ohio

STATE OF OHIO,	:	Case Nos. 2008-1942, 2008-2170
	:	
Plaintiff-Appellant,	:	
	:	On Appeal from the
v.	:	Union County
	:	Court of Appeals,
RAYNELL ROBINSON,	:	Third Appellate District
	:	
Defendant-Appellee.	:	Court of Appeals Case
	:	No. 14-07-20
	:	

**JOINT MOTION OF PLAINTIFF-APPELLANT
AND AMICUS CURIAE FOR DIVIDED ARGUMENT TIME**

DAVID W. PHILLIPS (0019966)
Union County Prosecutor

RICHARD CORDRAY (0038034)
Attorney General of Ohio

MELISSA A. CHASE* (0042508)
Assistant Prosecuting Attorney
**Counsel of Record*
221 West Fifth Street, Suite 333
Marysville, Ohio 43040
937-645-4190
937-645-4191 fax
mchase@co.union.oh.us

BENJAMIN MIZER* (0083089)
Solicitor General
**Counsel of Record*
ELISABETH A. LONG (0084128)
Deputy Solicitor
LORI J. WEISMAN (0018480)
Assistant Solicitor
30 East Broad Street, 17th Floor
Columbus, Ohio 43215
614-466-8980
614-466-5087 fax
benjamin.mizer@ohioattorneygeneral.gov

Counsel for Plaintiff-Appellant
State of Ohio

Counsel for *Amicus Curiae*
Ohio Attorney General Richard Cordray

ALISON BOGGS (0055841)
Attorney at Law
240 West Fifth Street, Suite A
Marysville, Ohio 43040
937-578-0214

Counsel for Defendant-Appellee
Raynell Robinson

FILED
AUG 20 2009
CLERK OF COURT SUPREME COURT OF OHIO

**JOINT MOTION OF PLAINTIFF-APPELLANT
AND *AMICUS CURIAE* FOR DIVIDED ARGUMENT TIME**

Oral argument in this case is scheduled for September 29, 2009, with each side allotted 15 minutes. Union County Prosecutor David W. Phillips will present argument for the Plaintiff-Appellant State of Ohio. As provided by Rule IX, Section 6 of the Court's Rules, counsel for the State of Ohio and counsel for the Ohio Attorney General's Office, as *amicus curiae*, request the Court's permission to divide Appellant's oral argument time. If the Court grants this motion, Prosecutor Phillips will argue for ten minutes, and Deputy Solicitor Elisabeth A. Long, counsel for the Attorney General, will argue for five minutes.

Respectfully submitted,

DAVID W. PHILLIPS (0019966)
Union County Prosecutor

RICHARD CORDRAY (0038034)
Attorney General of Ohio

/s/ Melissa A. Chase (per authorization)

MELISSA A. CHASE* (0042508)

Assistant Prosecutor

Counsel of Record

221 West Fifth Street, Suite 333

Marysville, Ohio 43040

937-645-4190

937-645-4191 fax

mchase@co.union.oh.us

Counsel for Plaintiff-Appellant
State of Ohio



BENJAMIN MIZER* (0083089)

Solicitor General

**Counsel of Record*

ELISABETH A. LONG (0084128)

Deputy Solicitor

LORI J. WEISMAN (0018480)

Assistant Solicitor

30 East Broad Street, 17th Floor

Columbus, Ohio 43215

614-466-8980

614-466-5087 fax

benjamin.mizer@ohioattorneygeneral.gov

Counsel for *Amicus Curiae*

Ohio Attorney General Richard Cordray

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Joint Motion of Plaintiff-Appellant and *Amicus Curiae* for Divided Argument Time was served by U.S. mail this 20th day of August 2009, upon the following counsel:

David W. Phillips
Union County Prosecutor
Melissa A. Chase
Assistant Prosecutor
221 West Fifth Street, Suite 333
Marysville, Ohio 43040

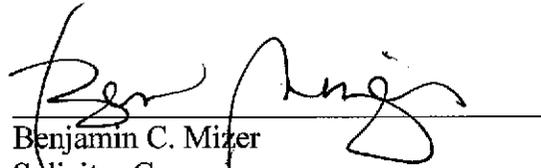
Counsel for Plaintiff-Appellant
State of Ohio

Stephen P. Hardwick
Assistant Public Defender
250 E. Broad Street, Suite 1400
Columbus, Ohio 43215

Counsel for *Amicus*
Ohio Public Defender

Alison Boggs
240 West Fifth Street, Suite A
Marysville, Ohio 43040

Counsel for Defendant-Appellee
Raynell Robinson


Benjamin C. Mizer
Solicitor General