

ORIGINAL

IN THE SUPREME COURT OF OHIO

State of Ohio,	:	
	:	
Plaintiff-Appellant,	:	Case Nos. 2008-1942 and 2008-2170
	:	
v.	:	On Appeal and Certified Conflict from
	:	the Union County Court of Appeals,
Raynell Robinson,	:	Third Appellate District, No. 14-07-20
	:	
Defendant-Appellee	:	

**Additional Authority of Appellee Raynell Robinson**

David W. Phillips, 0019966  
Union County Prosecutor

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

Richard Cordray, 0038034  
Ohio Attorney General

Benjamin C. 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

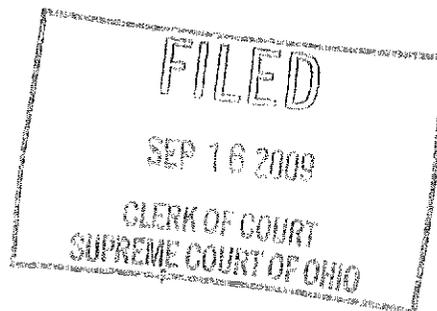
Counsel for Amicus,  
the Ohio Attorney General

Office of the Ohio Public Defender

By: Stephen P. Hardwick, 0062932  
Assistant Public Defender

250 East Broad Street, Suite 1400  
Columbus, Ohio 43215  
(614) 466-5394  
(614) 752-5167 (fax)  
stephen.hardwick@opd.ohio.gov

Counsel for Appellee,  
Raynell Robinson



**Additional Authority of Appellant Raynell Robinson**

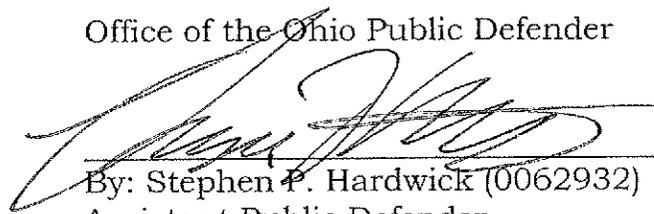
Appellant Raynell Robinson submits the following additional authority to be relied upon at oral argument:

Allen v. Totes/Isotoner Corp., Slip Op. No. 2009-Ohio-4231, at ¶21, quoting PDK Laboratories, Inc. v. United States Drug Enforcement Admin. (C.A.D.C.2004), 362 F.3d 786, 799 (Roberts, J., concurring in part and in judgment), (“if it is not necessary to decide more, it is necessary not to decide more”).

State v. Derov, 121 Ohio St.3d 269, 2009-Ohio-1111, ¶2 (certified conflict dismissed; appeal dismissed as improvidently allowed; “opinion of the court of appeals may not be cited as authority except by the parties inter se”).

Respectfully submitted,

Office of the Ohio Public Defender



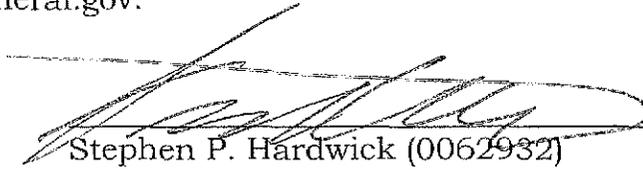
By: Stephen P. Hardwick (0062932)  
Assistant Public Defender

250 East Broad Street, Suite 1400  
Columbus, Ohio 43215  
(614) 466-5394  
(614) 752-5167 (fax)

Counsel for Raynell Robinson

**Certificate of Service**

I certify that on September 16, 2009, a copy of the foregoing was served via email to David Phillips, Union County Prosecuting Attorney, dphillips@co.union.oh.us; and to Benjamin C. Mizer, Solicitor General, benjamin.mizer@ohioattorneygeneral.gov.



Stephen P. Hardwick (0062932)  
Assistant Public Defender

Counsel for Raynell Robinson

#306898