

IN THE SUPREME COURT OF OHIO

ORIGINAL

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

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SUPREME COURT OF OHIO

Additional Authority of Appellant Raynell Robinson

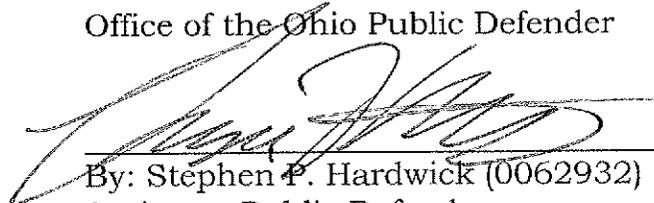
Appellant Raynell Robinson submits the following additional authority to be relied upon at oral argument:

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



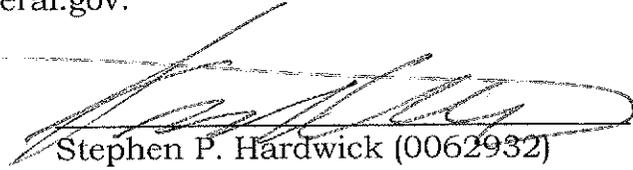
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Certificate of Service

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.



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