

ORIGINAL

IN THE SUPREME COURT OF OHIO

State of Ohio,	:
	: Case Number 2008-582
Plaintiff-Appellant,	:
	: On Appeal from the Montgomery
v.	: County Court of Appeals, Second
	: Appellate District, Case No. 22097
Doron Silverman,	:
	:
Defendant-Appellee.	:

Motion of Appellee Doron Silverman to Clarify Judgment

Mathias H. Heck, Jr., 0014171
Montgomery County Prosecutor

R. Lynn Nothsine, 0061560
Assistant Prosecuting Attorney
Counsel of Record

Carley Ingram, 0020084
Assistant Prosecuting Attorney

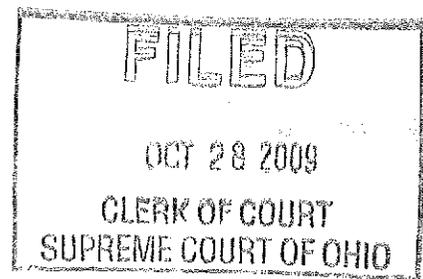
Courts Building, 5th Floor
301 W. Third Street
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Counsel for Appellant,
State of Ohio

Office of the Ohio Public Defender
By: Stephen P. Hardwick, 0062932
Assistant Public Defender

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Counsel for Appellee,
Doron Silverman



Motion of Appellee Doron Silverman to Clarify Judgment

Appellee Doron Silverman asks this Court to clarify the April 9, 2009 judgment entry that remanded this case back to the trial court to state that the case is remanded to the court of appeals, not the trial court. Exhibit 1. Mr. Silverman raised four assignments of error in the court of appeals, but the court of appeals ruled that three of the issues were moot after ruling for him on the legal issue that State successfully took to this Court. State v. Silverman, 176 Ohio App.3d 12, 2008-Ohio-618, Exhibit 2 (Pages 1, 22, and 23, attached).

After this Court's decision, the court of appeals declined to consider the issues because this Court remanded the case back to the trial court. State v. Silverman, Montgomery App. No. 22097, (June 19, 2009 Decision and Judgment Entry), Exhibit 3; see also, Motion to Rule on Assignments of Error IV, V, and VI and the memorandum contra, Exhibits 4 and 5. The decision relied on a similar decision from the Eleventh District. State v. Jeffries, Lake App. No. 2005-L-057 (Dec. 17, 2008 Judgment Entry), Exhibit 9. After the Eleventh District denied Ms. Jeffries motion to proceed on the remaining assignments of error, this Court granted a motion to clarify and remanded the case back to the court of appeals to rule on the remaining assignments of error. State v. Jeffries, 120 Ohio St.3d 1491, 2009-Ohio-278.

In a letter dated July 27, 2009, original counsel for Mr. Silverman notified him of the Second District's decision, but told Mr. Silverman that counsel would only file a motion with this Court only if Mr. Silverman could pay a \$2,000 retainer in advance. Exhibit 6. Mr. Silverman was indigent as

evidenced by the court of appeals' decision to appoint him counsel in this Court, as well as by this Court's decision to grant appointed counsel extraordinary fees. Exhibits 7 and 8.

In opposing Mr. Silverman's motion to have the court of appeals rule on the remaining assignments of error, the State asserted that Mr. Silverman waived the right to seek a decision on his remaining issues by not including a request in his appellee's brief. State's Memorandum Contra at 2. Exhibit 5. But the State only asserted that "[t]he decision of the Second District Court of Appeals should be reversed and Doron Silverman's conviction for gross sexual imposition reinstated." State's Brief, Aug. 28, 2009, at p. 22. Reinstating the conviction is consistent with sending the case back to the court of appeals, where Mr. Silverman would once again be an appellant challenging a valid trial court judgment.

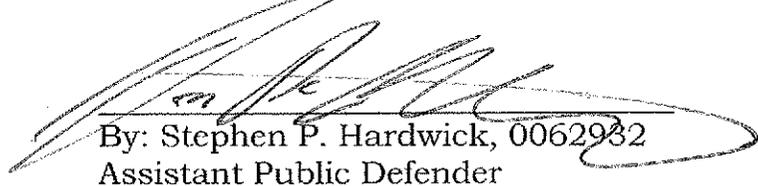
Further, denying further review by the court of appeals would violate Mr. Silverman's Due Process and Equal Protection rights to one appeal as of right is permitted, especially since his prior appointed counsel declined to take action without payment of additional fees. See, Griffin v. Illinois (1956), 351 U.S. 12, and Douglas v. California (1963), 372 U.S. 353. In addition, any failure of that counsel that resulted in a denial of a decision on the issues remaining in the court of appeals would violate Mr. Silverman's right to effective assistance of appellate counsel because counsel's error denied him his appeal. Roe v. Flores-Ortega (2000), 528 U.S. 470.

Finally, this motion is not untimely. In Jeffries, this Court granted a motion to clarify that was filed more than four months after this Court's decision. See, Docket, State v. Jeffries, Case No. 2007-1478, Exhibit 10. Mr. Silverman brings this motion three months after his counsel notified him that his counsel would not file a motion with this Court without a payment of \$2,000. Mr. Silverman seeks only the relief this Court provided to Ms. Jeffries—a clarification that Court's judgment entry remands this case to the court of appeals to rule on the issues remaining in this case.

This Court should clarify the April 9, 2009 entry and remand this case to the court of appeals for further consideration consistent with this Court's opinion.

Respectfully submitted,

Office of the Ohio Public Defender



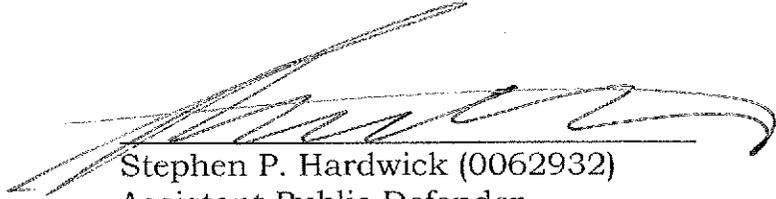
By: Stephen P. Hardwick, 0062932
Assistant Public Defender

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

Counsel for Appellee Doron Silverman

CERTIFICATE OF SERVICE

I certify that on October 28, 2009, the foregoing was served via regular U.S. mail on R. Lynn Nothsine, Assistant Montgomery County Prosecutor, Courts Building, 5th Floor, 301 W. Third Street, P.O. Box 972, Dayton, Ohio 45422.

A handwritten signature in black ink, appearing to read "Stephen P. Hardwick", written over a horizontal line.

Stephen P. Hardwick (0062932)
Assistant Public Defender

Counsel for Appellee Doron Silverman

#309058

ON COMPUTER-VIC

The Supreme Court of Ohio

FILED

APR 08 2009

CLERK OF COURT
SUPREME COURT OF OHIO

State of Ohio

Case No. 2008-0582

v.

JUDGMENT ENTRY

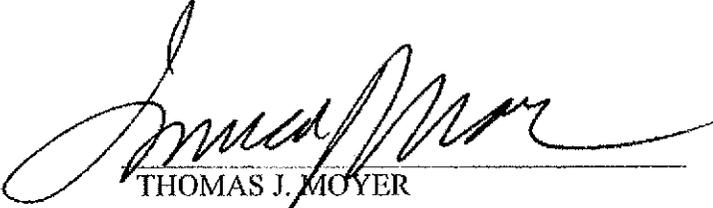
Doron C. Silverman

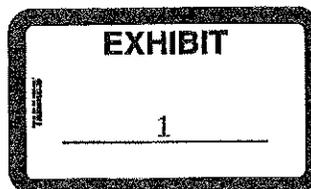
APPEAL FROM THE
COURT OF APPEALS

This cause, here on appeal from the Court of Appeals for Montgomery County, was considered in the manner prescribed by law. On consideration thereof, the judgment of the court of appeals is reversed consistent with the opinion rendered herein.

It is further ordered that costs are assessed pursuant to S.Ct.Prac.R XI(5) and that a mandate be sent to the Court of Common Pleas for Montgomery County to carry this judgment into execution and that a copy of this entry be certified to the Clerk of the Court of Appeals for Montgomery County for entry.

(Montgomery County Court of Appeals; No. 22097)


THOMAS J. MOYER
Chief Justice





2008 FEB 15 11:08:57
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IN THE COURT OF APPEALS FOR MONTGOMERY COUNTY, OHIO

STATE OF OHIO	:	
Plaintiff-Appellee	:	C.A. CASE NO. 22097
v.	:	T.C. NO. 2006 CR 2816
DORON C. SILVERMAN	:	(Criminal Appeal from
Defendant-Appellant	:	Common Pleas Court)

OPINION

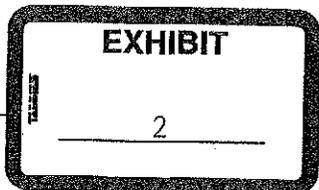
Rendered on the 15th day of February, 2008.

R. LYNN NOTHSTINE, Atty. Reg. No. 0061560, Assistant Prosecuting Attorney, 301 W. Third Street, 5th Floor, Dayton, Ohio 45422
Attorney for Plaintiff-Appellee

FRANK A. MALOCU, Atty. Reg. No. 0055228, 2100 First National Plaza, 130 W. Second Street, Dayton, Ohio 45402
Attorney for Defendant-Appellant

DONOVAN, J.

This matter is before the Court on the Notice of Appeal of Doron C. Silverman, filed March 22, 2007. On July 21, 2006, Silverman was indicted on two counts of rape, in



unfortunately, this is the only method which I can think that we can go through this to try to get a fair and impartial jury."

As the state correctly notes, several potential jurors were excused for cause after they indicated to the trial court that they were familiar with the case and were unable to set aside their personal feelings and consider the evidence in an impartial manner. When the jury was seated, the trial court overruled Silverman's motion for a change of venue, noting, "we have found a fair jury here in this county." While Silverman then renewed all of his pretrial motions, he did not specifically indicate to the court that any juror in particular was actually biased, and he makes no such argument in his brief.

Since the trial court excused those jurors, after addressing them privately at sidebar, who indicated a bias against Silverman, and was able to seat an impartial jury, the trial court did not abuse its discretion in overruling Silverman's motion for a change of venue. Silverman's third assignment of error is overruled.

Silverman's remaining assignments of error are as follows:

"THE TRIAL COURT ERRED IN DESIGNATING APPELLANT AS A SEXUAL PREDATOR AND A HABITUAL SEXUAL OFFENDER."

And,

"THE STATE FAILED TO PROVIDE SUFFICIENT EVIDENCE TO PROVE BEYOND A REASONABLE DOUBT THAT APPELLANT COMMITTED THE CHARGED OFFENSES, AND THE JURY'S GUILTY VERDICT AMOUNTS TO A MANIFEST MISCARRIAGE OF JUSTICE."

And,

"APPELLANT'S SENTENCE IS INCONSISTENT WITH SENTENCES OF SIMILAR

OFFENDERS, A LESSER SENTENCE IS COMMENSURATE WITH AND WOULD NOT Demean THE SERIOUSNESS OF THE OFFENSE AND IMPACT OF THE VICTIM AND CONSECUTIVE SENTENCES ARE NOT JUSTIFIED.”

These assignments of error are rendered moot by our ruling on Silverman’s second assignment of error. Judgment reversed and remanded for further proceedings consistent with this opinion.

.....
FAIN, J. and GRADY, J., concur.

Copies mailed to:

R. Lynn Nothstine
Frank A. Malocu
Hon. Michael T. Hall

Case: CA 022097
BY: LARBE



FILED

COURT OF APPEALS

2009 JUL 19 AM 10:03

GREENE COUNTY COURTS
MONTGOMERY COUNTY, OHIO

IN THE COURT OF APPEALS FOR MONTGOMERY COUNTY, OHIO

STATE OF OHIO	:	
Plaintiff-Appellee	:	C.A. CASE NO. 22097
v.	:	T.C. NO. 2006 CR 2816
DORON C. SILVERMAN	:	
Defendant-Appellant	:	

DECISION AND ENTRY

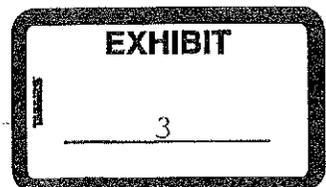
Rendered on the 19th day of June, 2009.

R. LYNN NOTHSTINE, Atty. Reg. No. 0061560, Assistant Prosecuting Attorney, 301 W. Third Street, 5th Floor, Dayton, Ohio 45422
Attorney for Plaintiff-Appellee

FRANK A. MALOCU, Atty. Reg. No. 0055228, 2100 First National Plaza, 130 W. Second Street, Dayton, Ohio 45402
Attorney for Defendant-Appellant

PER CURIAM:

This matter is before the Court on Motion for the Court to Rule upon Appellant's Assignments of Error IV, V, and VI, filed May 22, 2009 by Doron Silverman. On August 10,



2007, Silverman filed an appeal with this Court which included six Assignments of Error for review. After oral arguments were held on February 5, 2008, this Court filed its Opinion reversing Silverman's conviction for Gross Sexual Imposition. See *State v. Silverman* (2008), 176 Ohio App.3d 12, 2008-Ohio-618. In the opinion rendered by this Court, we overruled the first and third Assignments of Error, but sustained the second Assignment of Error. Consequently, the fourth, fifth, and sixth Assignments of Error were rendered moot. Subsequently, the Ohio Supreme Court granted review of the case and rendered an Opinion on April 27, 2009 overruling this Court's decision as to the second Assignment of Error only. See *State v. Silverman*, 121 Ohio St.3d 581, 2009-Ohio-1576.

Silverman argues that the Supreme Court's decision rendered the remaining three Assignments of Error ripe for review. In the present motion, Silverman asks this Court to rule upon the fourth, fifth, and sixth Assignments of Error contained in the merit brief filed August 10, 2007. The State objected to the motion, arguing that this Court lacks jurisdiction to review judgments of the Ohio Supreme Court. Furthermore, the State argued that Silverman, by failing to ask the Supreme Court to remand the case in the event that the Supreme Court overruled this Court's decision, waived whatever right he might have had to ask this Court to review and decide the merits of his fourth, fifth, and sixth Assignments of Error.

Generally, this Court would agree that when the Supreme Court reverses a decision of an appellate court, the matter is remanded to the appellate court for further proceedings if the appellate court did not consider all of the pending assignments of error in its original opinion. However, in the present case, the Supreme Court did not remand this case to this Court for further review; the Supreme Court reversed the Court and reinstated the trial

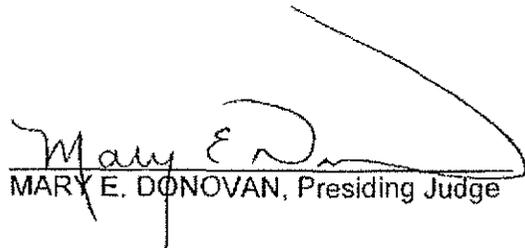
court's judgment.

Therefore, we agree with the State that this Court does not have jurisdiction to proceed in the manner requested by Silverman. Unless this Court were to receive further clarification from the Supreme Court, any additional action on our part would conflict with the authority of the Supreme Court in reinstating the judgment of the trial court. *See State v. Jeffries*, Lake App. No. 2005-L-057 (Dec. 17, 2008 Judgment Entry).

However, we find no merit to the State's argument that Silverman, by not asking the Supreme Court to remand the case to this Court in the event this Court's prior decision was overturned, waived any right he may have had for review of the mooted Assignments of Error. The State cites to no such authority, and our independent research reveals none, that suggests that Silverman, acting as the Respondent at the Supreme Court, should have asked the Supreme Court to remand a case – in the event that the Supreme Court overruled the intermediate appellate court – or risk waiving the opportunity to raise mooted issues. Because we currently lack jurisdiction to rule upon the mooted Assignments of Error, pursuant to Supreme Court Rule XIV, Section 4, Silverman must seek a Motion for Clarification of Judgment Entry in the Ohio Supreme Court to clarify whether the final three Assignments of Error should have been remanded to us for ruling.

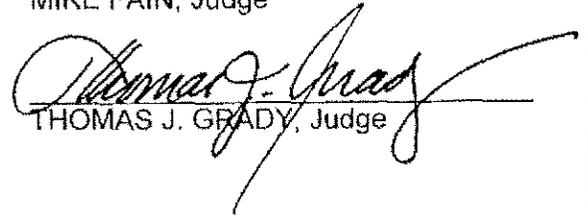
Based on the foregoing analysis, Silverman's motion to rule upon the fourth, fifth, and sixth Assignments of Error is overruled.

IT IS SO ORDERED.


MARY E. DONOVAN, Presiding Judge



MIKE FAIN, Judge



THOMAS J. GRADY, Judge

Copies mailed to:

R. Lynn Nothstine
Frank A. Malocu
Hon. Michael T. Hall



FILED
COURT OF APPEALS
2009 MAY 22 PM 12:18
L. BRUSH
CLERK OF COURTS
MONTGOMERY CO. OHIO

IN THE COURT OF APPEALS FOR MONTGOMERY COUNTY, OHIO
Second Appellate District

STATE OF OHIO

CASE NO.

CA 022097

Plaintiff/Appellee,

T.C. CASE NO.

2008-CR-2816

- vs -

DORON SILVERMAN

MOTION FOR COURT TO RULE UPON
APPELLANT'S ASSIGNMENTS OF
ERROR IV, V, and VI

Defendant/Appellant.

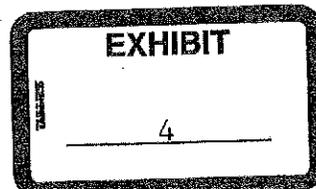
MOTION

Now comes Appellant, Doron Silverman ("Mr. Silverman") by Counsel, and respectfully requests this Honorable Court to rule upon Assignments of Error IV, V, and VI, contained in his Merit Brief filed on August 10, 2007.

MEMORANDUM

On August 10, 2007, Mr. Silverman filed his Merit Brief with this Honorable Court which included six Assignments of Error for the Court's review. Oral arguments were held on February 5, 2008, and on February 15, 2008, this Honorable Court filed its Opinion reversing Mr. Silverman's conviction for Gross Sexual Imposition.

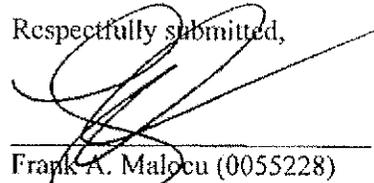
In said Opinion, the Court overruled the first and third Assignments of Error, but sustained the second Assignment of Error. Consequently, Assignments of Error IV, V and VI were rendered moot.



The case was then certified to the Ohio Supreme Court, and oral arguments were held on February 3, 2009. On April 27, 2009, the Ohio Supreme Court reversed this Court's Opinion, which now makes Appellant's fourth, fifth and sixth Assignments of Error ripe for review.

Therefore, Mr. Silverman respectfully requests this Honorable Court to rule upon his remaining Assignments of Error.

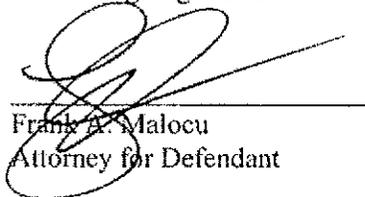
Respectfully submitted,



Frank A. Malocu (0055228)
Attorney for Defendant
130 West Second Street
Suite 2100
Dayton, OH 45402
(937) 461-0000

CERTIFICATE OF SERVICE

The undersigned Counsel hereby certifies that a copy of the foregoing Motion was delivered to the Prosecuting Attorney on the same date of filing.



Frank A. Malocu
Attorney for Defendant

Case: CA 22097
BY: CAENE

FILED
COURT OF APPEALS
2009 JUN 19 PM 8:43
CLERK OF COURT
MONTGOMERY COUNTY, OHIO

IN THE COURT OF APPEALS OF OHIO
SECOND APPELLATE DISTRICT

STATE OF OHIO

No. CA 22097

Plaintiff-Appellee,

Tr. Ct. No. 06-CR-2816

vs.

MEMORANDUM CONTRA MOTION
TO RULE UPON APPELLANT'S
ASSIGNMENTS OF ERROR IV, V,
AND VI

DORON SILVERMAN

Defendant-Appellant.

Now comes Appellee, the State of Ohio, by and through the Office of the Montgomery County Prosecutor, and hereby opposes Appellant's motion to rule upon his fourth, fifth, and sixth assignments of error, filed May 22, 2009.

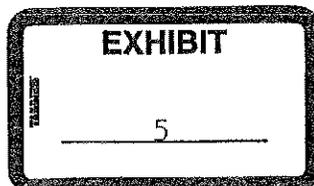
Respectfully submitted,

MATHIAS H. HECK, JR.
PROSECUTING ATTORNEY

By 

R. LYNN NOTHSTINE
REG. NO. 0061560
Assistant Prosecuting Attorney
Montgomery County Prosecutor's Office
301 W. Third St. - Suite 5th Floor
Dayton, OH 45422
(937) 225-4117

ATTORNEY FOR STATE OF OHIO
PLAINTIFF-APPELLEE



MEMORANDUM IN SUPPORT

On May 22, 2009, Doron Silverman filed a motion asking this Court to re-visit his direct appeal and rule upon his fourth, fifth, and sixth assignments of error, which this Court previously deemed to be moot when it reversed Silverman's conviction on other grounds. See, *State v. Silverman*, 176 Ohio App.3d 12, 2008-Ohio-618, 889 N.E.2d 1034, reversed at 121 Ohio St.3d 581, 2009-Ohio-1576, 906 N.E.2d 427.

The State opposes Silverman's pending motion on the ground that this Court lacks jurisdiction to review judgments of the Ohio Supreme Court. See, Section 3(B)(2), Article IV of the Ohio Constitution. By its decision in *State v. Silverman*, 121 Ohio St.3d 581, the Supreme Court reinstated the judgment of conviction against Silverman thus ending his direct appeal. The Ohio Supreme Court did not remand the case to this Court for further proceedings, and Silverman did not request that they do so in the event that this Court's prior decision was overturned. Thus, Silverman waived whatever right he might have had to ask this Court to review and decide the merits of his fourth, fifth, and sixth assignments of error, and this Court no longer has jurisdiction to do so.

Respectfully submitted,

MATHIAS H. HECK, JR.
PROSECUTING ATTORNEY

By 
R. LYNN NOTHSTINE
REG. NO. 0061560
Assistant Prosecuting Attorney
Montgomery County Prosecutor's Office
301 W. Third St. - 5th Floor
Dayton, OH 45422
(938) 225-4117

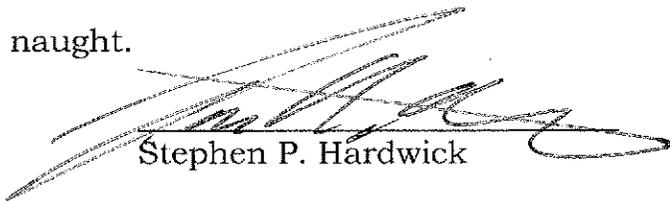
ATTORNEY FOR STATE OF OHIO
PLAINTIFF-APPELLEE

In the State of Ohio)
) ss:
Franklin County)

I, Stephen Hardwick, swear that the following is true:

1. I am an assistant public defender in the Office of the Ohio Public Defender.
2. I have reviewed a letter dated July 27, 2009 from Frank Malocu to Doron Silverman. In that Letter, Mr. Malocu tells Mr. Silverman that the court of appeals had declined to rule on the remaining assignments of error because the Ohio Supreme Court remanded Mr. Silverman's case back to the trial court, not the appeals court. The letter informed Mr. Silverman that counsel would only file a motion in the Ohio Supreme Court asking that court to remand the case back to the court of appeals if Mr. Silverman first paid a \$2,000 retainer.
3. On October 22, 2009, I received a phone call from a friend of Mr. Silverman requesting that I look into the case. Per my office's policy, I referred the matter to the intake attorney. On Friday, October 23, 2009, the case was opened and assigned to me. On Monday, October 26, 2009, I made arrangements with the Southern Ohio Correctional Facility for a phone call with Mr. Silverman on the afternoon of October 27, 2009. During that phone call, Mr. Silverman said he wanted my office's assistance. I obtained a copy of the July 27, 2009 letter that evening.

Further affiant sayeth naught.


Stephen P. Hardwick

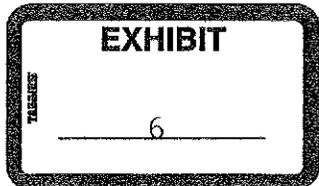
Signed and sworn before me this 28th day of October, 2009.



Notary Public



Kristopher A. Haines
Attorney At Law
Notary Public, State of Ohio
My commission has no expiration date
Sec. 147.03 R.C.





FILED
COURT OF APPEALS

2008 AUG 19 PM 12:09

IN THE COURT OF APPEALS OF OHIO
SECOND APPELLATE DISTRICT
MONTGOMERY COUNTY

STATE OF OHIO,

Plaintiff-Appellee,

v.

DORON SILVERMAN,

Defendant-Appellant.

Appellate Case No. CA 22097

Trial Court Case No. 06-CR-2816

DECISION AND ENTRY

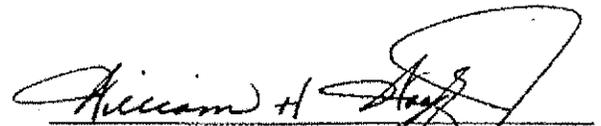
August 19, 2008

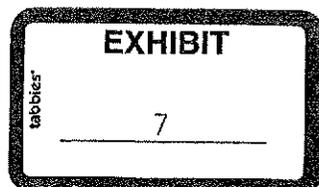
PER CURIAM:

This matter came to be considered upon a motion filed by counsel for appellant, Doron Silverman, on August 7, 2008, requesting this court to appoint counsel to represent appellant before the Ohio Supreme Court to defend this court's February 15, 2008 final entry.

Upon due consideration of the foregoing, IT IS HEREBY ORDERED that appellant's motion is **GRANTED**. Michael Columbus is appointed to represent Doron Silverman before the Ohio Supreme Court.

IT IS SO ORDERED.


WILLIAM H. WOLFF, JR., Presiding Judge



The Supreme Court of Ohio

FILED

MAY 07 2009

CLERK OF COURT
SUPREME COURT OF OHIO

State of Ohio

Case No. 2008-0582

v.

ENTRY

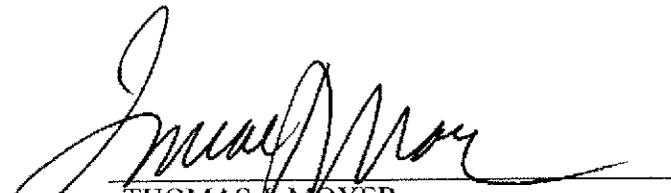
Doron C. Silverman

The Court finds that counsel performed the legal services set forth in the application for attorney fees filed on May 4, 2009, and that the fees and expenses hereinafter approved are reasonable. Accordingly,

It is ordered that Michael T. Columbus is granted appointed counsel fees in the sum of \$1,500.00 and expenses in the sum of \$97.75,

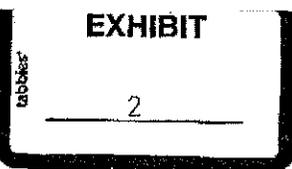
It is further ordered that extraordinary fees are hereby approved in the amount of \$750.00, for a total allowance of \$2,347.78, which amount is ordered certified to the Montgomery County Auditor for payment.

(Montgomery County Court of Appeals; No. 22097)



THOMAS J. MOYER
Chief Justice



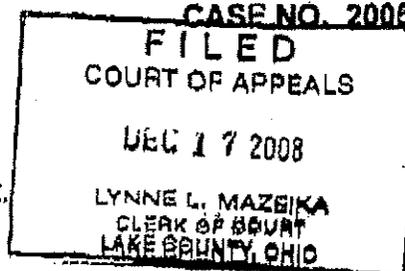


STATE OF OHIO)
) SS. IN THE COURT OF APPEALS
 COUNTY OF LAKE) ELEVENTH DISTRICT

STATE OF OHIO, JUDGMENT ENTRY
 Plaintiff-Appellee, CASE NO. 2005-L-057

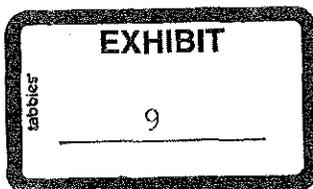
-vs-

JENNIFER L. JEFFRIES,
 Defendant-Appellant.



Appellant, Jennifer L. Jeffries, has now moved this court to go forward on the remaining eight assignments of error in the instant appeal. As the basis for her motion, appellant notes the following facts: (1) in June 2007, a majority of this court rendered an opinion in which her criminal conviction was reversed and the case was remanded to the trial court for further proceedings; (2) in reaching the conclusion that a new trial was warranted, our opinion only addressed three of her eleven assignments; (3) the remaining assignments were not discussed for the reason that they had become moot; (4) in August 2008, the Supreme Court of Ohio issued a decision which reversed our determination and reinstated the trial court's judgment; and (5) as part of its final entry, the Supreme Court specifically ordered that a mandate be sent to the common pleas court to carry the judgment into execution.

In her present submission, appellant maintains that, since the basis of our prior decision to reverse has now been vacated, she is entitled to an immediate ruling upon the assignments which were not addressed in our opinion. Appellant



further asserts that a complete review of her prior arguments is warranted in this instance because she has been given an indefinite sentence of twenty-two years to life.

As a general proposition, this court would agree that when the Supreme Court reverses a decision of an appellate court, the matter is usually remanded to the appellate court for further proceedings if the latter court did not consider all of the pending assignments of error in its original opinion. However, in the instant case, a review of the Supreme Court's final entry readily shows that the matter was not remanded to this court. Instead, the case was sent directly back to the trial court so that the imposed sentence could now be executed.

Under such circumstances, this court does not have the basic jurisdiction to proceed in the manner requested by appellant. Unless this court were to receive further clarification from the Supreme Court, any additional action on our part would conflict with the authority of the trial court to carry the judgment into execution.

Pursuant to the foregoing analysis, it is the order of this court that appellant's motion to proceed on the final eight assignments of error is hereby overruled.



JUDGE COLLEEN MARY O'TOOLE

DIANE V. GRENDALL, P.J., concurs.

The Supreme Court of Ohio & The Ohio Judicial System

Clerk's Office
65 South Front Street, 8th Floor
Columbus, Ohio 43215-3431
800.826.9010
614.387.9530

Kristina D. Frost
Clerk of Court

Search Results: Case Number 2007-1478

The Supreme Court of Ohio

CASE INFORMATION

GENERAL INFORMATION

Case: 2007-1478 Discretionary Appeal (Felony); Claimed Appeal of Right
Filed: 08/10/07
Status: Case Is Disposed

State of Ohio v. Jennifer L. Jeffries

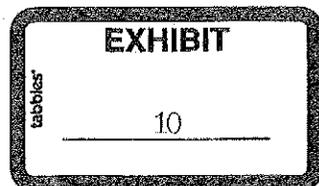
PARTIES and ATTORNEYS

State of Ohio (Appellant) Represented by: Sheppert, Karen (42500) , Counsel of Record Coulson, Charles (8667)
Jeffries, Jennifer L. (Appellee) Represented by: Clapp, Vanessa (59102) , Counsel of Record LaPlante, Roland (15684)

PRIOR JURISDICTION

Jurisdiction Information	Prior Decision Date	Case Number(s)
Lake County, 11th District Court of Appeals	06/29/2007	2005L057

DOCKET ITEMS



- Most documents that were filed in Supreme Court cases after December 1, 2006, are scanned. They are available for viewing via the online dockets, generally within one business day from their date of filing.
- Supreme Court orders that were issued after January 1, 2007, are also available via the online docket as PDFs. Orders scanned prior to April 6, 2009, may not bear the signature of the Chief Justice. These online orders are identical to the original orders in all other respects.
- A  symbol in an online docket denotes a scanned filing or an electronic version of a Supreme Court order. Clicking the icon opens an image of the filing or order.

Date Filed	Description
08/10/07  View	Notice of appeal of State of Ohio <i>Filed by:</i> State of Ohio
08/10/07  View	Memorandum in support of jurisdiction <i>Filed by:</i> State of Ohio
08/10/07  View	Case information statement <i>Filed by:</i> State of Ohio
08/13/07	Copy of notice of appeal sent to clerk of court of appeals
09/07/07  View	Memorandum in response <i>Filed by:</i> Jeffries, Jennifer
12/12/07  View	DECISION: Appeal accepted
12/12/07  View	Order to clerk of court/custodian to certify record
01/02/08	Record
01/02/08	Clerk's notice of filing of record
02/08/08  View	Appellant's merit brief <i>Filed by:</i> State of Ohio
03/10/08  View	Appellee's merit brief <i>Filed by:</i> Jeffries, Jennifer
03/24/08	Oral argument scheduled for Tuesday, May 20, 2008
03/26/08  View	Notice of oral argument to be held on Tuesday, May 20, 2008
03/28/08  View	Reply brief <i>Filed by:</i> State of Ohio
05/20/08	Oral argument held
08/07/08  View	DECISION: Reversed. See opinion at 2008-Ohio-3865. 
08/20/08	Certified copy of judgment entry/mandate sent to clerk

12/18/08  View	Motion to clarify judgment entry <i>Filed by:</i> Jeffries, Jennifer
 View	01/28/09: Granted; cause remanded to the court of appeals for consideration of the remaining assignments of error.
01/28/09  View	DECISION: CORRECTED: Granted; cause remanded to the court of appeals for consideration of the remaining assignments of error.
02/10/09	Certified copy of judgment entry/mandate sent to clerk
02/25/09	Return of record to clerk of court/custodian
03/06/09	Return receipt - postage \$22.85 (1 of 2)
03/06/09	Return receipt - postage \$19.60 (2 of 2)

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Question or Comments?

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