

ORIGINAL

IN THE SUPREME COURT OF OHIO

09-0311

STATE OF OHIO,)
 Appellee,)
 -vs-)
 GREGORY HORNER,)
 Appellant.)

S.C. Case No.: 09-0211
 C.A. Case No.: L-07-1224
 C.P. Case No.: CR06-3208

APPEAL FROM THE LUCAS
 COUNTY COURT OF APPEALS

STIPULATION TO AGREED EXTENSION OF TIME TO FILE MERIT BRIEF OF
 APPELLANT

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On Behalf of Appellee

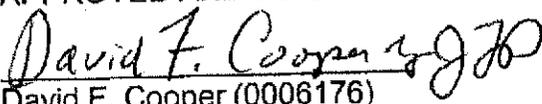
On Behalf of Appellant

FILED
 NOV 25 2009
 CLERK OF COURT
 SUPREME COURT OF OHIO

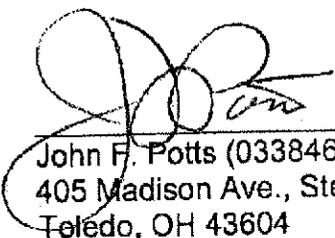
**STIPULATION TO AGREED EXTENSION OF TIME
TO FILE MERIT BRIEF OF APPELLANT**

Pursuant to S.Ct.Prac.R.XIV, Section 3(B)(2)(a), it is hereby stipulated by and between Appellee, State of Ohio, and Appellant, Gregory Horner, that Appellant may be granted an agreed 20 day extension of time in which to file his Merit Brief on or before December 22, 2009. No extension of time has previously been granted.

APPROVED AND SO STIPULATED:


David F. Cooper (0006176)
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(Per telephone consent)

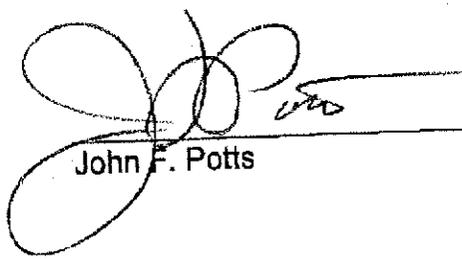
On Behalf of Appellee


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On Behalf of Appellant

CERTIFICATION

This is to certify that a copy of the foregoing was served by ordinary U.S. Mail this 25th day of November, 2009, upon: David F. Cooper, Assistant Lucas County Prosecutor, 700 Adams Street, 2nd Floor, Toledo, OH 43604.



John F. Potts