

ORIGINAL

IN THE SUPREME COURT OF OHIO

STATE OF OHIO EX REL.	:	CASE NO. 09-2140
BRIAN BARDWELL,	:	
	:	On Appeal from the
RELATOR-APPELLANT,	:	Cuyahoga County Court of Appeals,
	:	Eighth Appellate District
vs.	:	
	:	Court of Appeals Case No. 09 CA 93058
CUYAHOGA COUNTY BOARD	:	
OF COMMISSIONERS,	:	
	:	
RESPONDENT-APPELLEE.	:	

AMENDED NOTICE OF APPEAL OF RELATOR-APPELLANT BRIAN BARDWELL

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*Counsel for Relator-Appellant
 Brian Bardwell*

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 DEC 08 2009
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 SUPREME COURT OF OHIO

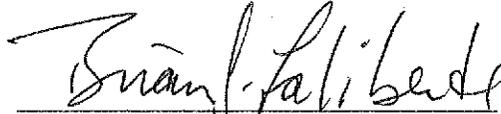
AMENDED NOTICE OF APPEAL OF RELATOR-APPELLANT BRIAN BARDWELL

Relator-Appellant, Brian Bardwell, gives this amended notice of his appeal of right and discretionary appeal pursuant to Ohio Supreme Court Rule II, Sections 1(A)(1) and (3), from a decision of the Cuyahoga County Court of Appeals, Eighth District, in an original mandamus action filed in that court and journalized in Case No. 09 CA 93058 on October 19, 2009. The original Notice of Appeal incorrectly characterized this appeal as a “claimed appeal of right” under Supreme Court Rule II, Sec. 1(A)(2). It is in fact an appeal of right under Rule II, Sec. 1(A)(1).

This Amended Notice of Appeal is timely filed, within 45 days of the appellate court’s Judgment Entry and Opinion. A date-stamped copy of the Eighth District’s Judgment Entry and Opinion, respectively, is attached both to the Relator-Appellant’s Motion for Stay Pending Appeal and to his Memorandum in Support of Jurisdiction as Exhibit 1.

The Motion for Stay was filed on November 24, 2009, pursuant to Ohio Supreme Court Rule II, Section 2(A)(3)(a). Relator-Appellant’s Memorandum in Support of Jurisdiction, filed simultaneously with this Amended Notice of Appeal, will more fully explain the basis for this Court’s jurisdiction and demonstrate that this case is of public and great general interest.

Respectfully submitted,



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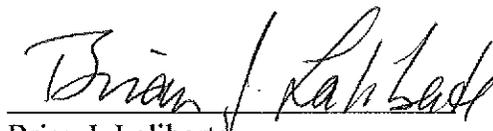
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CERTIFICATE OF SERVICE

A copy of the foregoing Amended Notice of Appeal was served this 3d day of December 2009, by regular U.S. Mail, postage prepaid, upon Charles E. Hannan, Assistant Prosecuting Attorney, The Justice Center, Courts Tower, 8th Floor, 1200 Ontario Street, Cleveland, Ohio 44113.



Brian J. Laliberte
Counsel for the Relator