

ORIGINAL

In the
Supreme Court of Ohio

CITY OF CLEVELAND,

Plaintiff-Appellee,

v.

STATE OF OHIO,

Defendant-Appellant.

: Case No. 09-2280
:
: On Appeal from the
: Cuyahoga County
: Court of Appeals,
: Eighth Appellate District
:
: Court of Appeals Case
: No. 92663
:

NOTICE OF APPEAL OF DEFENDANT-APPELLANT STATE OF OHIO

ROBERT J. TRIOZZI (0016532)
Director of Law

GARY S. SINGLETARY* (0037329)
Assistant Director of Law
601 Lakeside Avenue, Room 106
Cleveland, Ohio 44114-1077
216-664-2737
216-664-2663 fax

Counsel for Plaintiff-Appellee
City of Cleveland

RICHARD CORDRAY (0038034)
Attorney General of Ohio

BENJAMIN C. MIZER* (0083089)
Solicitor General
**Counsel of Record*

PEARL M. CHIN (0078810)
Assistant Attorney General
30 East Broad Street, 17th Floor
Columbus, Ohio 43215
614-466-8980
614-466-5087 fax
benjamin.mizer@ohioattorneygeneral.gov

Counsel for Defendant-Appellant
State of Ohio

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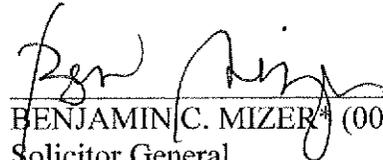
NOTICE OF APPEAL OF DEFENDANT-APPELLANT STATE OF OHIO

Defendant-Appellant State of Ohio gives notice of its discretionary appeal to this Court, pursuant to Ohio Supreme Court Rule II, Section 1(A)(3), from a decision of the Cuyahoga County Court of Appeals, Eighth Appellate District, journalized in Case No. 92663 on November 23, 2009. Date-stamped copies of the Court of Common Pleas' Judgment Entry and the Eighth District's Judgment and Decision are attached as Exhibits 1 and 2, respectively, to Defendant-Appellant's Memorandum in Support of Jurisdiction.

For the reasons set forth in the accompanying Memorandum in Support of Jurisdiction, this case presents substantial constitutional questions and is one of public and great general interest.

Respectfully submitted,

RICHARD CORDRAY (0038034)
Attorney General of Ohio


BENJAMIN C. MIZER* (0083089)
Solicitor General
**Counsel of Record*

PEARL M. CHIN (0078810)
Assistant Attorney General
30 East Broad Street, 17th Floor
Columbus, Ohio 43215
614-466-8980
614-466-5087 fax
benjamin.mizer@ohioattorneygeneral.gov

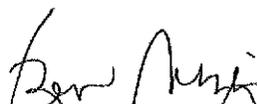
Counsel for Defendant-Appellant
State of Ohio

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Notice of Appeal of Defendant-Appellant State of Ohio was served by U.S. mail this 18th day of December, 2009, upon the following counsel:

Gary S. Singletary
601 Lakeside Avenue, Room 106
Cleveland, Ohio 44114-1077

Counsel for Plaintiff-Appellee
City of Cleveland


Benjamin C. Mizer
Solicitor General