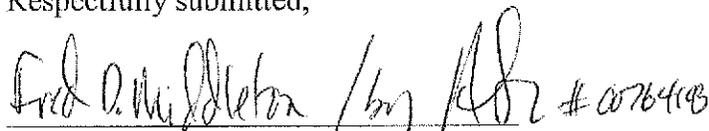




**NOTICE OF APPEAL OF APPELLANT ROBERT BATES**

Appellant Robert Bates hereby gives notice of appeal to the Supreme Court of Ohio from the judgment of the Cuyahoga County Court of Appeals, Eighth Appellate District, entered in Court of Appeals Case No. 92323 on November 16, 2009. This case raises substantial constitutional questions, involves a felony, and is of public or great general interest.

Respectfully submitted,

  
Fred D. Middleton, #0025555  
Counsel of Record

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COUNSEL FOR ROBERT BATES

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing **Notice of Appeal of Appellant Robert Bates**, was forwarded by regular U.S. Mail this 31<sup>st</sup> day of December, 2009, to the office of Mary McGrath, Assistant Cuyahoga County Prosecuting Attorney, Justice Center, 8<sup>th</sup> Floor, 1200 Ontario Street, Cleveland, Ohio 44113.

  
Fred D. Middleton, #0025555  
Counsel of Record

COUNSEL FOR ROBERT BATES