

IN THE SUPREME COURT OF OHIO

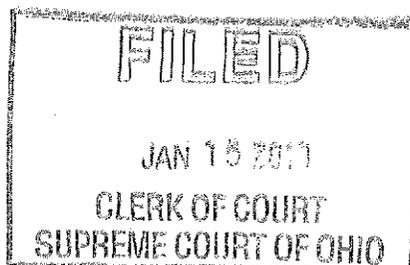
STATE OF OHIO,	*	S.C. No. 09-0311
Plaintiff-Appellee,	*	On Certified Conflict from
-vs-	*	the Lucas County Court
GREGORY HORNER,	*	of Appeals, Sixth
Defendant-Appellant.*	*	Appellate District
		C.A. Case No. L-07-1224
	*	

STIPULATION TO AGREED EXTENSION OF TIME TO FILE MERIT
BRIEF OF PLAINTIFF-APPELLEE, STATE OF OHIO

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State of Ohio

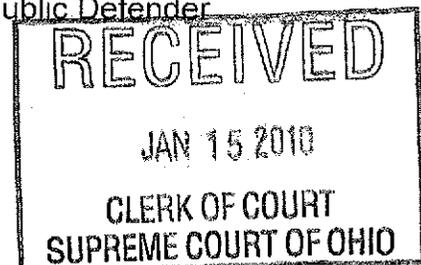


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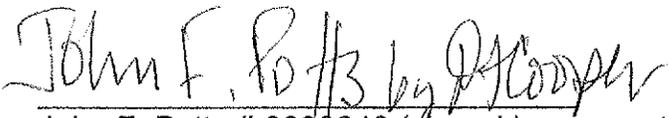
Counsel for Amicus Curiae
Ohio Public Defender



**STIPULATION TO AGREED EXTENSION OF TIME
TO FILE MERIT BRIEF OF PLAINTIFF-APPELLEE**

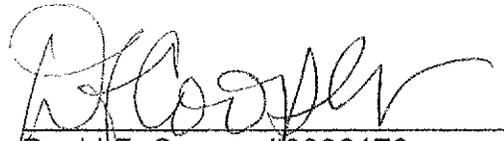
Pursuant to S.Ct.Prac.R. 14.3(B)(2)(a), it is hereby stipulated by and between Defendant-Appellant, Gregory Horner and Plaintiff-Appellee, State of Ohio, that Plaintiff-Appellee may be granted an agreed 20 day extension of time in which to file its Merit Brief on or before February 10, 2010. No extension of time has previously been granted.

APPROVED AND SO STIPULATED:



John F. Potts # 0033846 (signed by consent)
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On Behalf of Defendant-Appellant

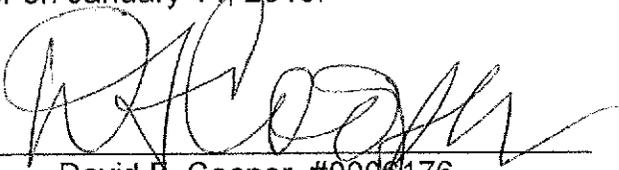


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On Behalf of Plaintiff-Appellee

PROOF OF SERVICE

I hereby certify that a copy of this Stipulation to Agreed Extension of Time to File Merit Brief of Plaintiff-Appellee, State of Ohio was sent by via ordinary mail to John F. Potts, 405 Madison Ave., Ste. 1010, Toledo, Ohio 43604, Counsel for Defendant Appellant and Timothy Young, Ohio Public Defender, Spencer Cahoon, Assistant State Public Defender, 250 E. Broad Street, Ste. 1400, Columbus, Ohio 43215, Counsel for Amicus Curiae, Ohio Public Defender on January 14, 2010.



David R. Cooper, #0006176
Assistant Prosecuting Attorney