

ORIGINAL

IN THE SUPREME COURT OF OHIO

STATE OF OHIO, : CASE NO. 2007-1261

Appellee, :

vs. :

DONALD J. KETTERER, :

Appellant. : On Appeal from the Court of Common Pleas
of Butler County, Case No. CR2003-03-0309

NOTICE OF ADDITIONAL AUTHORITY

RECEIVED

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NOTICE OF ADDITIONAL AUTHORITY

Pursuant to S.Ct. Prac. R. 9.8. Appellee, the State of Ohio, hereby gives notice of the following list of additional authority:

Durian v. Sheldon, 122 Ohio St.3d 582, 2009-Ohio-4082.

State v. Elmore, 122 Ohio St.3d 472, 2009-Ohio-3478.

U.S. v. Wells, 2008 WL 215814 (6th Cir.).

Respectfully submitted,

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PROOF OF SERVICE

This is to certify that a copy of the foregoing Notice of Additional Authority was served upon Randall L. Porter, Assistant State Public Defender, Counsel for Appellant, 250 East Broad Street, Suite 1400, Columbus, Ohio 43215, and Seth L. Gilbert and Steven L. Taylor, Franklin County Assistant Prosecuting Attorneys, Counsel for Amicus Curiae OPAA, 373 South High Street, 13th Floor, Columbus, Ohio 43215, by ordinary U.S. mail this 26TH day of February, 2010.



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