

IN THE SUPREME COURT OF OHIO

ORIGINAL

STATE OF OHIO, :
Appellee, : Case Nos. 2007-1261
-vs- : Appeal taken from Butler County
DONALD J. KETTERER, : Court of Common Pleas
 : Case No. CR 2003-03-0309
Appellant. : This is a death penalty case.

**APPELLANT DONALD J. KETTERER'S
NOTICE OF ADDITIONAL AUTHORITY**

ROBIN PIPER
Prosecuting Attorney

Michael A. Oster (0076491)
Chief, Appellate Division
Counsel of Record

LINA N. ALKAMHAWI (0075462)
Assistant Prosecuting Attorney

Butler County Prosecutor's Office
Government Services Center (614)
315 High Street, 11th Floor
Hamilton, Ohio 45012-0515
(513) 887-3474 (Voice)
(513) 887-3489 (Facsimile)

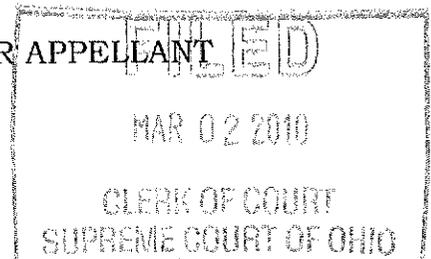
COUNSEL FOR APPELLEE

Office of the
Ohio Public Defender

RANDALL L. PORTER (0005835)
Assistant State Public Defender
Counsel of Record

250 East Broad Street, Suite 1400
Columbus, Ohio 43215
(614) 466-5394 (Voice)
644-0708 (Facsimile)
Randall.Porter@opd.ohio.gov

COUNSEL FOR APPELLANT



IN THE SUPREME COURT OF OHIO

STATE OF OHIO, :
Appellee, : Case Nos. 2007-1261
-vs- : Appeal taken from Butler County
DONALD J. KETTERER, : Court of Common Pleas
: Case No. CR 2003-03-0309
Appellant. : This is a death penalty case.

**APPELLANT DONALD J. KETTERER'S
NOTICE OF ADDITIONAL AUTHORITY**

Pursuant to S.Ct. Prac. R. 9.8, Appellant Donald J. Ketterer provides notice of the following additional authority:

PROPOSITION OF LAW NO. I

State v. Singleton, 124 Ohio St. 3d 173, 2009-Ohio-6434, 929 N.E.2d 958, at ¶¶ 11-22

State ex rel. Keyes v. Ohio Pub. Emps. Retirement Sys., 123 Ohio St.3d 29, 2009-Ohio-4052, 913 N.E. 2d 29, at ¶29

State v. Bloomer, 122 Ohio St. 3d 200, 2009-Ohio-2462, 909 N.E.2d 1254, at ¶9

State v. Simpkins, 117 Ohio St. 3d 420, 2008-Ohio-1197, 884 N.E. 2d 568, at ¶ 6

State v. Bezak, 114 Ohio St. 3d 94, 2007-Ohio-3250, 868 N.E.2d 961, at ¶ 18

State ex rel. Cruzado v. Zaleski, 111 Ohio St. 3d 353, 2006-Ohio-5795, 856

N.E.2d 263, ¶¶ 20-22

Hernandez v. Kelly, 108 Ohio St. 3d 395, 2006-Ohio-126, 844 N.E. 2d 301, at ¶¶ 14-17

Kraly v. Vannewkirk (1994), 69 Ohio St.3d 627, 633, 635 N.E. 2d 323

State v. Whiteside, 10th Dist. No. 08AP-602, 2009-Ohio-1893 at ¶60

State v. Jenkins, 9th Dist. No. 24166, 2008-Ohio-6620 at ¶10, n.1,

PROPOSITION OF LAW NO. II

State v. Gibbs, 4th Dist Nos. 09CA3110, 09CA31112009, 2009-Ohio-6489 at 7

State v. Austin, 6th Dist. No. L-09-1011, 2009-Ohio-659 at ¶¶ 3-4

State ex rel. Kula v. White, 5th Dist. No. 08CA005, 2008-Ohio-5493 at ¶¶5-8

State v. Baker, 12th Dist. No. CA2007-06-152, 2008-Ohio-4426 at ¶5

Finley v. First Realty Prop. Managment, 9th Dist. No. C.A. 23355, 2007-Ohio-2888 at ¶ 16

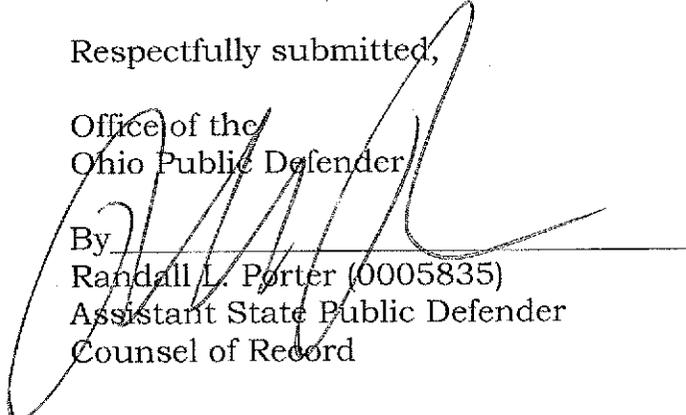
PROPOSITION OF LAW NO. VI

State v. Boswell, 121 Ohio St. 3d 575, 2009-Ohio-1577, 906 N.E. 2d 422, at ¶10

State v. Sarkozy, 117 Ohio St. 3d 86, 2008-Ohio-509, 881 N.E. 2d 1224, at ¶ 26

Respectfully submitted,

Office of the
Ohio Public Defender

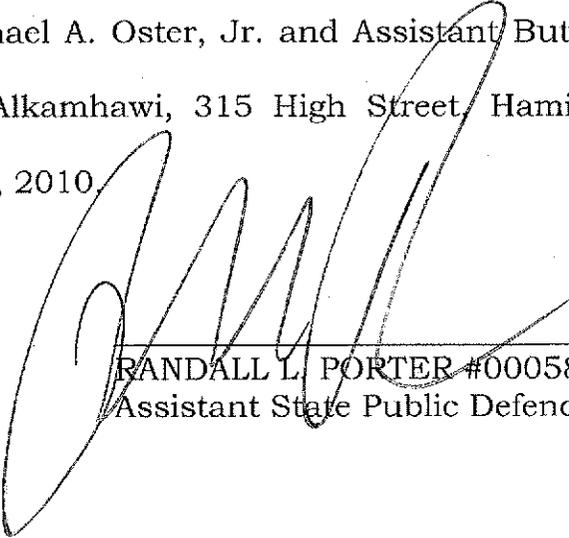
By 
Randall L. Porter (0005835)
Assistant State Public Defender
Counsel of Record

Office of the Ohio Public Defender
250 East Broad Street, Suite 1400
Columbus, Ohio 43215
(614) 466-5394 (Voice)
(614) 644-0708 (Facsimile)
Randall.Porter@OPD.Ohio.gov

COUNSEL FOR DONALD KETTERER

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing *Appellant Donald J. Ketterer's Notice Of Additional Authority* was forwarded by facsimile and first-class U.S. Mail, postage prepaid to Assistant Butler County Prosecuting and Chief of Appellate Division Michael A. Oster, Jr. and Assistant Butler County Prosecuting Attorney Lina N. Alkamaha, 315 High Street, Hamilton, Ohio 45011 on this 2nd day of March, 2010.



RANDALL L. PORTER #0005835
Assistant State Public Defender

316212