

ORIGINAL

IN THE SUPREME COURT OF OHIO

STATE OF OHIO

Case No. 2009-0897

Plaintiff-Appellee,

On Appeal from the Summit
County Court of Appeals,
Ninth Appellate District

vs.

LONDEN K. FISCHER

Court of Appeals
Case No.: 24406

Defendant-Appellant.

**JOINT MOTION OF PLAINTIFF-APPELLANT
AND AMICUS CURIAE THE OHIO PROSECUTING ATTORNEYS ASSOCIATION,
FOR DIVIDED ARGUMENT TIME**

SHERI B. WALSH
Summit County Prosecutor

**THE OHIO PROSECUTING
ATTORNEYS ASSOCIATION,**

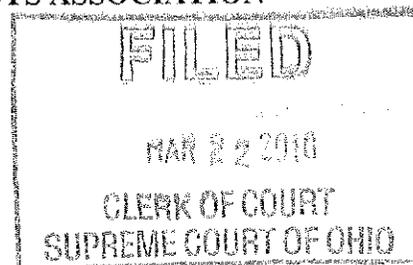
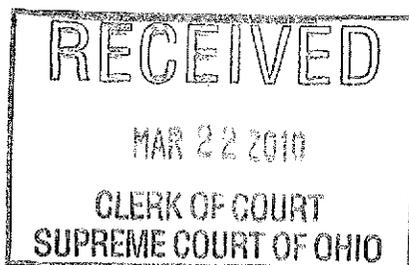
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**JOINT MOTION OF PLAINTIFF-APPELLANT
AND AMICUS CURIAE OHIO PROSECUTING ATTORNEYS' ASSOCIATION
FOR DIVIDED ARGUMENT TIME**

Oral argument in this case is scheduled for March 30, 2010, with each side allotted 15 minutes. Summit County Assistant Prosecuting Attorney Heaven DiMartino will present argument for the Plaintiff-Appellant, State of Ohio. As provided by Rule 9, Section 6 of the Court's rules, counsel for the State of Ohio and counsel for the Ohio Prosecuting Attorneys Association, as amicus curiae, request the Court's permission to divide Appellant's oral argument time.

Respectfully submitted,

SHERI B. WALSH
Summit County Prosecutor

**THE OHIO PROSECUTING
ATTORNEYS ASSOCIATION**

**AMICUS CURIAE
BY MATHIAS H. HECK, JR.
PROSECUTING ATTORNEY**

s/Heaven DiMartino per authority 03/17/10

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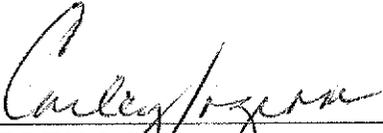
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**FOR AMICUS CURIAE
OHIO PROSECUTING
ATTORNEYS ASSOCIATION**

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Joint Motion was sent by regular U.S. mail this 19 day of March, 2010, to: Sheri B. Walsh, Summit County Prosecutor, Heaven DiMartino, Assistant Summit County Prosecutor, 53 University Avenue, 7th Floor, Safety Building, Akron, OH 44308; Claire R. Cahoon, Assistant State Public Defender, Office of the Ohio Public Defender, 250 East Broad Street, Suite 1400, Columbus, OH 43215; Kelly K. Curtis, Cleveland Marshall College of Law, 1801 Euclid Avenue, Cleveland, OH 44115 and John T. Martin, Assistant Public Defender, 310 Lakeside Avenue, Suite 200, Cleveland, OH 44113.



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