

ORIGINAL

IN THE SUPREME COURT OF OHIO

STATE OF OHIO, : Case No. 98-20

Appellee, :

v. :

RICHARD NIELDS, : THIS IS A DEATH PENALTY CASE

Appellant, :

NOTICE OF FILING

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FILED

MAY 20 2010

CLERK OF COURT
 SUPREME COURT OF OHIO

IN THE SUPREME COURT OF OHIO

STATE OF OHIO, : Case No. 98-20
Appellee, :
v. :
RICHARD NIELDS, : THIS IS A DEATH PENALTY CASE
Appellant, :

NOTICE OF FILING

Assistant Federal Defender, Carol A. Wright, hereby provides notice that a Stipulated Dismissal Without Prejudice was filed on the 26th day of May, 2010 in U.S. District Court, Case No. 2:04-cv-1156 (Southern District of Ohio, Eastern Division)(attached as Exhibit A).

Respectfully submitted,



CAROL A. WRIGHT (0029782)
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was sent by regular U.S. Mail to Phillip R. Cummings Jr., Assistant Hamilton County Prosecutor, 230 E. Ninth Street, Suite 4000, Cincinnati, Ohio 45202, and Randall L. Porter, Assistant State Public Defender, 250 East Broad Street, Ste. 250, Columbus, Ohio 43215 on this 26th day of May, 2009.


CAROL A. WRIGHT
COUNSEL FOR RICHARD NIELDS

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO, EASTERN DIVISION**

| | | |
|--------------------------------|---|--|
| RICHARD NIELDS, |) | Case No. 2:04-cv-1156 |
| |) | |
| Plaintiff, |) | District Judge Gregory L. Frost |
| |) | |
| v. |) | Magistrate Judge Mark R. Abel |
| |) | |
| TED STRICKLAND, et al., |) | |
| |) | |
| Defendants. |) | |

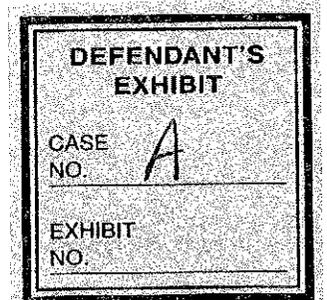
Stipulated Dismissal Without Prejudice for Intervenor-Plaintiff Richard Nields

Intervenor-Plaintiff Richard Nields and all Defendants stipulate to the dismissal of Nields' Complaint, (ECF No. 762), in accordance with Federal Rule of Civil Procedure 41(a)(1)(A)(ii). Said dismissal is Without Prejudice.

Respectfully submitted,

/s/ Allen L. Bohnert

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/s/ Carol A. Wright

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/s/ Charles L. Wille (per authorization)

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Certificate Of Service

This is to certify that a copy of the foregoing **Stipulated Dismissal Without Prejudice for Intervenor-Plaintiff Richard Nields** was electronically filed this 26th day of May, 2010. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Allen L. Bohnert

Allen L. Bohnert (0081544)

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Counsel for Intervenor-Plaintiff

Richard Nields