

**ORIGINAL**

IN THE SUPREME COURT OF OHIO

STATE OF OHIO,

:

Case No.

**10-1325**

Plaintiff-Appellee,

:

vs.

:

On Appeal from the Montgomery County  
Court of Appeals, Second Appellate  
District Case No. CA 023585

THOMAS EVERETTE, JR.

:

Defendant-Appellant.

:

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**NOTICE OF APPEAL OF APPELLANT  
THOMAS EVERETTE, JR.**

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OFFICE OF THE OHIO PUBLIC DEFENDER

MATHIAS H. HECK, JR. (0014171)  
Montgomery County Prosecutor

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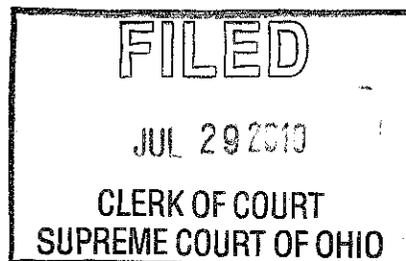
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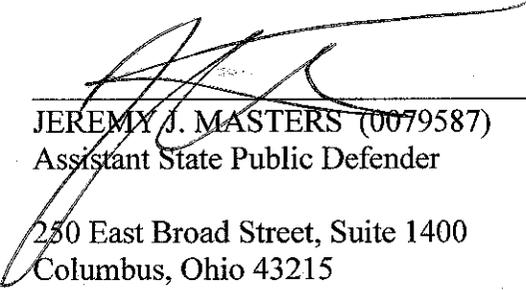
**NOTICE OF APPEAL OF APPELLANT THOMAS EVERETTE**

Thomas Everette, Jr. hereby gives notice of appeal to the Supreme Court of Ohio from the judgment of the Montgomery County Court of Appeals, Second Appellate District, entered in Court of Appeals Case No. 023585, on June 18, 2010.

This case raises a substantial constitutional question, involves a felony, and is of public or great general interest.

Respectfully submitted,

OFFICE OF THE OHIO PUBLIC DEFENDER



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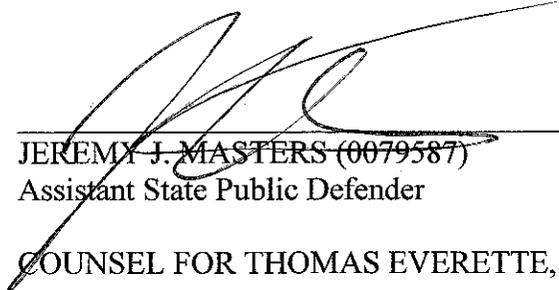
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing **Notice of Appeal of Appellant Thomas Everette, Jr.** has been sent via regular U.S. Mail to Mathias H. Heck, Jr., Montgomery County Prosecutor's Office, 5<sup>th</sup> Floor, Courts Building, 301 West Third Street, P.O. Box 972, Dayton, Ohio 45422, this 29<sup>th</sup> day of July, 2010.



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JEREMY J. MASTERS (0079587)  
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COUNSEL FOR THOMAS EVERETTE, JR.