

**ORIGINAL**

**IN THE SUPREME COURT OF OHIO**

STATE OF OHIO : Case No. 10-1325  
v. :  
THOMAS E. EVERETTE, JR. :

**Waiver of Memorandum in Response\***

I am filing this waiver pursuant to S.Ct.Prac.R. III, Section 2(E). I do not intend to file a response to the memorandum in support of jurisdiction unless one is requested by the Court.

Michele D. Phipps  
Name

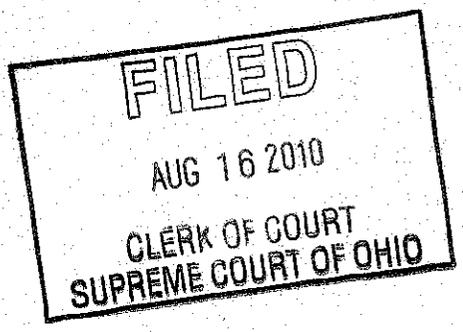
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Attorney Registration #

Dayton, OH  
City & State

(937) 225-4117  
Phone Number

45422  
Zip Code



Please enter my appearance as follows (check one):

Enter my appearance as counsel of record for all appellees.

There are multiple appellees, and I do not represent all of them. Enter my appearance as counsel of record for the following appellee(s):

\_\_\_\_\_  
\_\_\_\_\_

I certify that I am sending a copy of this form, on this date, to all other parties in compliance with S.Ct.Prac.R. XIV, Section 2(B).

Michele Phipps  
Signature

8/16/10  
Date

*\*Note: If a waiver is filed in lieu of a memorandum in response, it must be filed within 20 days after the memorandum in support of jurisdiction is filed. If there are multiple appellees and more than one memorandum in support of jurisdiction is filed, the waiver must be filed within 20 days after the filing of the last memorandum in support.*