

ORIGINAL

IN THE SUPREME COURT OF OHIO

STATE OF OHIO,	:	
	:	Case No. 2010-0897
Plaintiff-Appellant,	:	
	:	On Appeal from the Cuyahoga
v.	:	County Court of Appeals
	:	Eighth Appellate District
JOSEPH WILSON,	:	
	:	C.A. Case No. 91971
Defendant-Appellee.	:	

**MOTION FOR APPOINTMENT OF THE OFFICE
OF THE OHIO PUBLIC DEFENDER AS COUNSEL**

OFFICE OF THE OHIO PUBLIC DEFENDER

TERRENCE K. SCOTT (0082019)
Assistant State Public Defender
(Counsel of Record)

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COUNSEL FOR APPELLANT
JOSEPH WILSON

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COUNSEL FOR APPELLEE
THE STATE OF OHIO

FILED
SEP 03 2010
CLERK OF COURT SUPREME COURT OF OHIO

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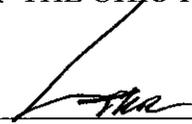
Joseph Wilson moves this Court to appoint the Office of the Ohio Public Defender as counsel in the above-captioned case. This Court has accepted the State's appeal in Case No 2010-0897. (Entry, August 25, 2010). This Court has accepted this case for briefing. Id. The case involves a felony, and Mr. Wilson is indigent. Mr. Wilson's Affidavit of Indigency is attached to this motion. Supreme Court Practice 3.7 states that:

If the Supreme Court grants leave to appeal in a discretionary appeal involving a felony and an unrepresented party to the appeal is indigent, the Supreme Court will appoint the Ohio Public Defender or other counsel to represent the indigent party or order the court of appeals to appoint counsel as provided in S. Ct. Prac. R. 2.2 (D)(2).

In accordance with S. Ct. Prac. R. 3.7, Mr. Wilson requests that this Court appoint the Office of the Ohio Public Defender as counsel in the above-captioned case.

Respectfully submitted,

OFFICE OF THE OHIO PUBLIC DEFENDER



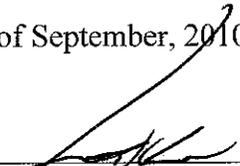
TERRENCE K. SCOTT 0082019
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COUNSEL FOR DEFENDANT-APPELLEE
JOSEPH WILSON

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing MOTION FOR APPOINTMENT OF THE OFFICE OF THE OHIO PUBLIC DEFENDER AS COUNSEL was forwarded by regular U.S. Mail to Mary H. McGrath, Cuyahoga County Assistant Prosecutor, Justice Center, 9th Floor, 1200 Ontario Street, Cleveland, Ohio 44113 on this 3rd day of September, 2010.



TERRENCE K. SCOTT 0082019
Assistant State Public Defender

COUNSEL FOR DEFENDANT-APPELLEE
JOSEPH WILSON

#326944

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AFFIDAVIT OF INDIGENCY

I, Joseph Wilson, do hereby state that I am without the necessary funds to pay the costs of this action for the following reasons:

I am currently incarcerated at the Mansfield Correctional Institution and I have been incarcerated since July 24, 2008. I work at the prison but receive only \$17.00 dollars per month.

Pursuant to Rule 15.3(A), of the Rules of Practice of the Supreme Court of Ohio, I am requesting that the filing fee and security deposit, if applicable, be waived.

Joseph Wilson
JOSEPH WILSON

Sworn to, or affirmed, and subscribed in my presence this 31ST day of AUG., 2010.

Gregory A. Morrow
 Notary Public
 My Commission Expires: _____
GREGORY A. MORROW
 NOTARY PUBLIC, STATE OF OHIO
 My Commission Expires Nov. 20, 2011