

ORIGINAL

IN THE SUPREME COURT OF OHIO

State of Ohio, :
Plaintiff-Appellee, : Case Nos. 2010-1007 &
 : 2010-1372
vs. : On Appeal from the Auglaize
Stephen M. Lester, : County Court of Appeals,
 : Third Appellate District.
Defendant-Appellant. : C.A. Case No.: 2-10-20

MOTION FOR APPOINTMENT OF COUNSEL

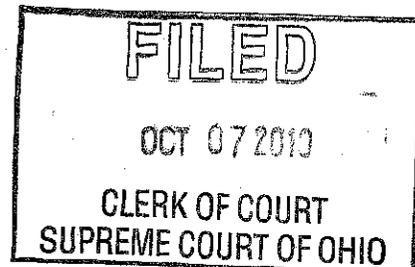
STEPHEN M. LESTER
ToCI, Id.#A526-919
2001 East Central Avenue
Post Office Box 80033
Toledo, Ohio 43608-0033

DEFENDANT-APPELLANT, PRO SE

EDWIN PIERCE (#0023846)
Auglaize County Prosecutor
AMY OTLEY-BECKETT (#0059852)
Assistant Prosecuting Attorney
Counsel of Record

Auglaize County Courthouse
201 South Willipie Street
Post Office Box 1992
Wapakoneta, Ohio 45895-1992
(419) 738-9688
(419) 738-3274 (FAX)

COUNSEL FOR APPELLEE, STATE OF OHIO



IN THE SUPREME COURT OF OHIO

State of Ohio, :
Plaintiff-Appellee, : Case Nos. 2010-1007 &
vs. : 2010-1372
Stephen M. Lester, : On Appeal from the Auglaize
Defendant-Appellant. : County Court of Appeals,
Third Appellate District.
C.A. Case No. 2-10-20

MOTION FOR APPOINTMENT OF COUNSEL

Now Comes, the Defendant-Appellant Stephen M. Lester, acting in propria persona, and respectfully moves this Honorable Court pursuant to S.Ct.Prac. R.3.7 to appoint counsel to represent Defendant-Appellant.

This Court on September 29, 2010 had accepted the appeal in case number 2010-1007 and determined that a conflict exists in case number 2010-1372. The Court had also ordered that these aforementioned cases to be consolidated.

According to S.Ct.Prac.R.3.7, if this Court grants leave to appeal in a discretionary appeal involving a felony and an unrepresented party to the appeal is indigent, this Court would appoint the Ohio Public Defender or other counsel to represent an indigent party.

Appellant Lester is currently indigent and has no means of financial support to retain counsel. See Affidavit of Indigency filed before this Court in case numbers 2010-1007 (filed 6/09/10) and 2010-1372 (filed 8/05/10).

Therefore, Appellant Lester respectfully requests this Honorable Court to appoint counsel as requested pursuant to S.Ct.Prac.R.3.7 and, because Appellant Lester is indigent.

WHEREFORE, this Court should appoint counsel in case numbers 2010-1007

and 2010-1372, as these cases are a discretionary appeals involving a felony and this Appellant is indigent.

Respectfully submitted,


Stephen M. Lester, pro-se
ToCI, Id.#A526-919
2001 East Central Avenue
Post Office Box 80033
Toledo, Ohio 43608-0033

DEFENDANT-APPELLANT, PRO SE

PROOF OF SERVICE

I attest I sent the Auglaize County Prosecutor a copy of this MOTION FOR APPOINTMENT OF COUNSEL, by regular U.S. Mail, on this 5th day of October, 2010, by sending it to 201 S. Willipie Street, Post Office Box 1992, Wapakoneta, Ohio 45895-1992.



Stephen M. Lester, pro-se
ToCI, Id.#A526-919