

ORIGINAL

In The Supreme Court Of Ohio

State Of Ohio, :  
Appellee, :  
-Vs- : Case No.: 2010-1373  
Ashford Thompson, :  
Appellant. : **This Is A Capital Case.**

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Appellant Thompson's Motion for Stay of Execution

**Execution Date: June 23, 2011**

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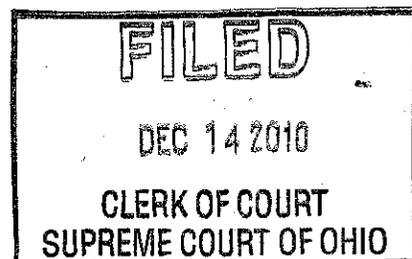
Office of the  
Ohio Public Defender

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Counsel For Appellant



In The Supreme Court Of Ohio

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Appellant Thompson's Motion for Stay of Execution

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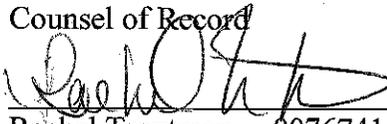
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Now comes the appellant, Ashford Thompson, and moves this Court to stay his **execution set for June 23, 2011**, pending disposition of his direct appeal by this Court. The reasons for this motion are more fully set forth in the attached memorandum.

Respectfully submitted,

Office of the Ohio Public Defender

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Counsel of Record

  
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## MEMORANDUM IN SUPPORT

Ashford Thompson was found guilty of Aggravated Murder and sentenced to death by the trial court. Thompson is currently sentenced to die on June 23, 2011. Thompson has a right to a direct appeal to the Ohio Supreme Court under Ohio Const. art. IV, § 2 (B)(2)(c). In McDonald v. Missouri, 464 U.S. 1306 (1984), the United States Supreme Court stated that every defendant who has a right of direct review from a sentence of death is entitled to have that review before paying the ultimate penalty. Accordingly, a stay is warranted to allow Thompson adequate time to seek direct review of his convictions and sentences. See State v. Steffen, 70 Ohio St. 3d 399, syl. (1994) (capital defendant entitled to stay of execution to seek both direct review and state post-conviction remedies).

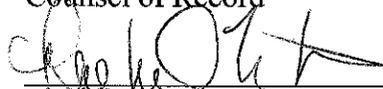
On August 6 2010, Thompson filed his notice of appeal and praecipe in this Court. The record was filed on December 7, 2010. Thompson's direct appeal will not be completed before June 23, 2011. Thompson seeks this Stay of Execution to allow a thorough and considered review of his conviction and sentence.

Therefore, Thompson respectfully requests this Court to stay his execution, pending the final disposition of his appeal.

Respectfully submitted,

Office of the Ohio Public Defender

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Counsel of Record



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Certificate Of Service

I hereby certify that a true copy of the foregoing Motion for Stay of Execution was forwarded by regular U.S. Mail to Richard Kasay, Assistant Summit County Prosecutor, 53 University Ave., Akron, Ohio 44308, this 14th day of December, 2010.

  
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Rachel Troutman – 0076741  
Counsel For Appellant