

IN THE SUPREME COURT OF OHIO

THE STATE OF OHIO, *EX REL.*) CASE NO. 10-1966
PHILIP GEORGE)
)
Relator,)
)
-vs-)
)
THE HONORABLE)
MARK A. BETLESKI)
)
Respondent.)

RELATOR'S MOTION TO DISMISS

Donald J. Malarcik (#0061902)
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Attorney for Respondent



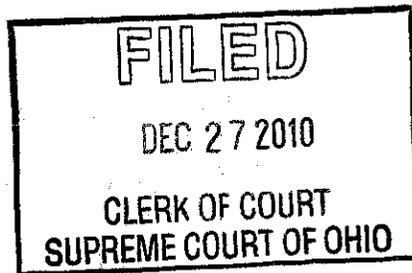
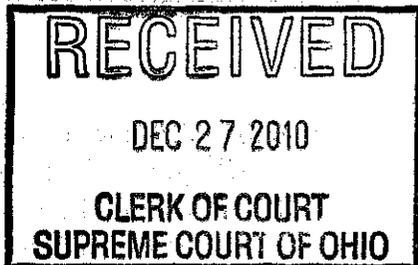
DONALD J.
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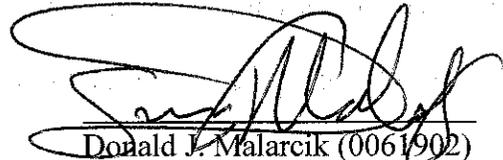
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Now comes Relator, Philip George, by and through counsel, and respectfully requests that this Court dismiss the Complaint filed on or about November 12, 2010 on the grounds that said Complaint is now moot. The underlying criminal case which was the subject of the Complaint filed in the Ohio Supreme Court was resolved on December 16, 2010. (See Journal Entry attached hereto.)

Accordingly, Relator respectfully requests that this Court dismiss the Complaint.

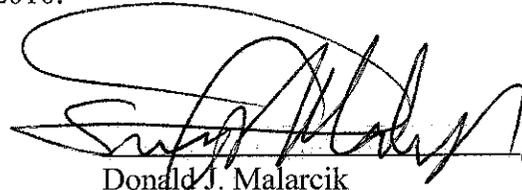
Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent by regular U.S. mail to **Gerald A. Innes, Assistant Prosecuting Attorney Lorain County, Ohio**, 225 Court Street, 3rd Floor, Elyria, Ohio on this 22nd day of December, 2010.



Donald J. Malarcik
Attorney for Relator



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LORAIN COUNTY COURT OF COMMON PLEAS
LORAIN COUNTY, OHIO

RON NABAKOWSKI, Clerk
JOURNAL ENTRY
Mark A. Betleski, Judge

December 16, 2010)	CASE NO. 02CR061237
)	
STATE OF OHIO,)	LAURA DEZORT
Plaintiff)	Assistant Prosecutor
VS.)	
)	
PHILLIP F GEORGE, JR.)	DONALD J. MALARCIK
Defendant)	Defense Counsel

JUDGMENT ENTRY OF CONVICTION AND SENTENCE

1. Defendant appeared in Court for sentencing after having plead no contest to and been found guilty by the Court of the following charge:
 5. Possession of Criminal Tools, a violation of R.C. 2923.24(B), a 1st degree misdemeanor.
2. A pre-sentence report and investigation were not ordered.
3. Defendant was present with counsel in open court for sentencing December 16, 2010. A stenographer was present. Defendant's counsel and Defendant were afforded an opportunity to speak and present any information in mitigation of punishment, pursuant to Criminal Rule 32(A)(1).
4. Upon consideration of all matters set forth by law it is the judgment of law and sentence of the Court that Defendant is sentenced to:

Count 5: 3 months in jail.

This sentence is suspended upon condition of good behavior for a period of one year.

5. Defendant is ordered to pay all costs of prosecution.

Dated: December 16, 2010

A handwritten signature in black ink, appearing to read "Mark A. Betleski", written over a horizontal line.

Mark A. Betleski

