

ORIGINAL

IN THE SUPREME COURT OF OHIO

11-0010

STATE OF OHIO)
)
 Plaintiff-Appellant)
)
 v.)
)
 MARIO HARRIS)
)
 Defendant-Appellee)

CASE NO: _____
 On Appeal from the Cuyahoga
 County Court of Appeals
 Eighth Appellate District
 Court of Appeals
 Case No. CA-95128

NOTICE OF APPEAL OF APPELLANT STATE OF OHIO

WILLIAM D. MASON (0037540)



By: Thorin Freeman (0079999)
 Counsel of Record
 Cuyahoga County Prosecutor
 Assistant Prosecuting Attorney
 1200 Ontario Street
 Cleveland OH 44113
 Tel. (216)-443-7800
 Fax (216)-443-7602

COUNSEL FOR APPELLANT, STATE OF OHIO

MARIO HARRIS PRO SE A550804
 P.O. BOX 8107
 Mansfield Ohio 44905

FILED
 JAN 03 2011
 CLERK OF COURT
 SUPREME COURT OF OHIO

NOTICE OF APPEAL OF APPELLANT STATE OF OHIO

Appellant, State of Ohio, hereby gives notice of appeal to the Supreme Court of Ohio from the judgment of the Cuyahoga County Court of Appeals, Eighth Appellate District, entered in *State v. Harris*, Appeals Case No. 95128, Cuyahoga Common Pleas Case Numbers CR-08-506498 and CR-08-510551, on November 4, 2010. The State filed a timely motion for consideration en banc on November 15, 2010 and that motion was denied on November 19, 2010. The State also filed a timely application for reconsideration that was denied by the Court on December 6, 2010.

This appeal raises a substantial constitutional question, involves a felony, or a question of public or great general interest and invokes this Court's discretionary authority under Art. IV, § 2(B)(2)(e) and S.Ct. R. II Section 1 (A)(2) and (3).

Respectfully submitted,

WILLIAM D. MASON (0037540)



By: Thorin Freeman (0079999)
Counsel of Record
COUNSEL FOR APPELLANT
STATE OF OHIO

CERTIFICATE OF SERVICE

I certify that a copy of this Notice of Appeal was sent by ordinary U.S. mail, postage prepaid, to Mario Harris A550804 P.O. Box 8107 Mansfield Ohio 44901 and the Ohio Public 250 East Broadstreet Street Suite 1400 Columbus Ohio 43215 on this 3RD day of January 2011.



Thorin Freeman (0079999)
Assistant Prosecuting Attorney
COUNSEL FOR APPELLANT,
STATE OF OHIO