

ORIGINAL

IN THE SUPREME COURT OF OHIO

STATE OF OHIO, : CASE NO. 1996-677
 Appellee, : 1996-678
 vs. :
 KENNETH WAYNE SMITH, : DEATH PENALTY CASE
 Appellant. :

NOTICE OF APPEARANCE OF COUNSEL
FOR APPELLEE, STATE OF OHIO

Counsel for Appellee, State of Ohio:
 MICHAEL T. GMOSER (0002132)
 Butler County Prosecuting Attorney

MICHAEL A. OSTER, JR. (0076491)
 [Counsel of Record]
 Assistant Prosecuting Attorney
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FILED
 FEB 14 2011
 CLERK OF COURT
 SUPREME COURT OF OHIO

OFFICE OF
 PROSECUTING ATTORNEY
 BUTLER COUNTY, OHIO

GOVERNMENT SERVICES CENTER
 218 HIGH ST., 11TH FLOOR
 HAMILTON, OHIO 45012

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Now comes Assistant Prosecuting Attorney Michael A. Oster, Jr., (0076491), and hereby gives notice to this Honorable Court of his appearance as counsel of record for the State of Ohio. Additionally, Attorney Michael T. Gmoser (0002132) has been appointed County Prosecutor, and should replace Robin N. Piper (0023205) on all future matters in this case.

Respectfully submitted,
MICHAEL T. Gmoser (0002132)
Butler County Prosecuting Attorney



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PROOF OF SERVICE

This is to certify that a copy of the foregoing Motion was served upon:

CAROL A. WRIGHT (0029782)
Federal Public Defender's Office
10 W. Broad Street, Ste. 1020
Columbus, Ohio 43215

by ordinary U.S. mail this 14th day of February, 2011.



MICHAEL A. OSTER, JR., (0076491)
Assistant Prosecuting Attorney