

IN THE SUPREME COURT OF OHIO

11-0538

State of Ohio,	:	On Appeal from the Butler
	:	County Court of Appeals,
	:	Twelfth Appellate District
Appellee,	:	
	:	Court of Appeals
	:	Case No. CA2009-10-263
v.	:	
	:	
	:	Death Penalty Appeal
	:	
Von Clark Davis	:	
	:	
Appellant.	:	

NOTICE OF APPEAL

John P. Parker (0041243)(Counsel of Record)
 988 East 185th Street
 Cleveland, Ohio 44119
 216.881.0900
johnpparker@earthlink.net

Laurence E. Komp (0060142)
 Attorney at Law
 P.O. Box 1785
 Manchester, Missouri 63011
 636-207-7330 (Voice)
 636-207-7351 (Facsimile)
lekomp@swbell.net

Counsel for Defendant

MICHAEL T. GMOSE
 Butler County Prosecutor
 MICHAEL A. OSTER
 Assistant Prosecuting Attorney
 Government Services Center
 315 High St., 11th Floor
 Hamilton, OH 45011

FILED
 APR 04 2011
 CLERK OF COURT
 SUPREME COURT OF OHIO

Notice of Appeal of Appellant Von Clark Davis

Appellant Von Clark Davis hereby gives notice that he will appeal to the Supreme Court of Ohio from the Opinion, Separate Opinion related to O.R.C. 2929.05(A), and Judgment Entry of the Butler County Court of Appeals, Twelfth Appellate District, entered in Case No. CA 2009-10-263 on February 22, 2011, denying Appellant's intermediate death penalty direct appeal of right. A date-stamped Judgment Entry is attached as Attachment A. This case involves the affirmance of the death penalty.

Pursuant to S.Ct. Prac. 15.3, Appellant attaches a copy of the entry of appointment in lieu of an affidavit of indigency. Attachment B.

Respectfully submitted,

By: John P. Parker *per auto*
John P. Parker, Counsel of Record

CERTIFICATE OF SERVICE

I certify a copy of the foregoing **Notice of Appeal** was mailed regular U.S. Mail to Michael A. Oster, Jr. Assistant Butler County Prosecuting Attorneys at the Government Services Center, 315 High Street, Hamilton, Ohio 45011, on this the 4th day of April, 2011.

John P. Parker *per auto*
John P. Parker (0041243)
COUNSEL FOR APPELLANT

22 PM 3:37
Butler County
Court of Appeals

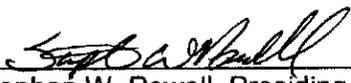
IN THE COURT OF APPEALS
TWELFTH APPELLATE DISTRICT OF OHIO
BUTLER COUNTY

STATE OF OHIO, :
 :
 Plaintiff-Appellee, : CASE NO. CA2009-10-263
 :
 - vs - : JUDGMENT ENTRY
 : FILED BUTLER CO.
 : COURT OF APPEALS
 :
 VON CLARK DAVIS, : FEB 22 2011
 :
 Defendant-Appellant. : CLERK OF COURTS

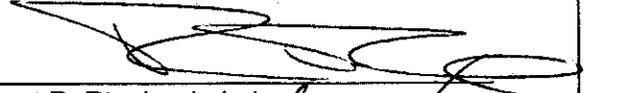
The assignments of error properly before this court having been ruled upon, it is the order of this court that the judgment or final order appealed from be, and the same hereby is, affirmed.

It is further ordered that a mandate be sent to the Butler County Court of Common Pleas for execution upon this judgment and that a certified copy of this Judgment Entry shall constitute the mandate pursuant to App.R. 27.

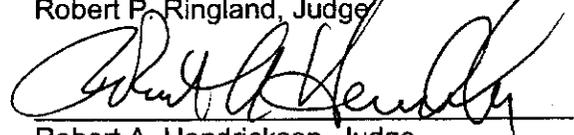
Costs to be taxed in compliance with App.R. 24.



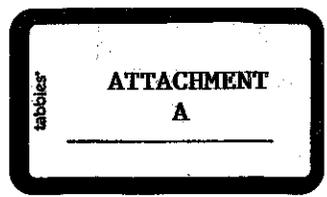
Stephen W. Powell, Presiding Judge



Robert P. Ringland, Judge



Robert A. Hendrickson, Judge



FILED

**IN THE COURT OF COMMON PLEAS
BUTLER COUNTY, OHIO**

2010 FEB 11 PM 1:03

JOY CARPENTER
BUTLER COUNTY
CLERK OF COURTS

STATE OF OHIO,

:

Appellee,

:

Case No. CR 1982 12-0614

vs.

:

VON CLARK DAVIS,

:

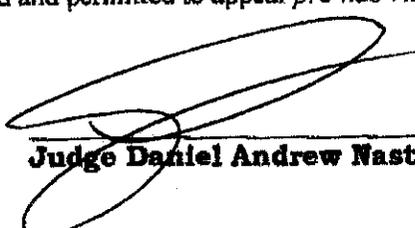
Judge Daniel Andrew Nastoff

Appellant.

:

ORDER

The Court being fully advised hereby GRANTS Defendant/Appellant's Motion for Appointment of Counsel and Motion to Allow Appearance *Pro Hac Vice*. Laurence Komp and John Parker, both Rule 20 Appellate Qualified, are appointed to represent Mr. Davis on appeal. Alan Freedman is also appointed and permitted to appear *pro hac vice* in this matter.



Judge Daniel Andrew Nastoff

