

TABLE OF CONTENTS

Table of Authorities Cited ----- ii
Request for additional time at Oral Argument----- 1
Certificate of Service ----- 2

TABLE OF AUTHORITIES

State v. White, Case No. 2010 CA 60 (decided 9/1/11)

<http://xa.yimg.com/kq/groups/15259382/5459271/name/Appeal%20Decision.pdf> ----- 1

IN THE SUPREME COURT OF OHIO

STATE OF OHIO,	: CASE NO: 2011-0033
	:
Appellee,	:
	:
vs.	:
	:
SUDINIA JOHNSON,	:
	:
Appellant,	:

REQUEST FOR ADDITIONAL TIME AT ORAL ARGUMENT

Now comes, Appellant, Sudinia Johnson, through counsel pursuant to Ohio Supreme Court Rule of Practice 9.5(B) and requests this Court enter an order expanding time of argument to 30 minutes per side.

Rule 9.5(B) provides this Court may sua sponte to vary the time of argument or counsel may request this Court vary the time of argument set provided the request is filed within seven days of argument.

The issue before this Court will be the use of GPS technology by law enforcement to track the whereabouts of people without judicial approval. This is a case of first impression before this Court. The issues addressed by the parties are new before every court which has addressed them. A split has occurred in this state's appellate courts with the recent decision by the 5th District Court of Appeals in *State v. White*, Case No. 2010 CA 60 (decided 9/1/11) <http://xa.yimg.com/kq/groups/15259382/5459271/name/Appeal%20Decision.pdf>. Four Federal Circuit Courts have split in their review of the issue of GPS tracking without benefit of a warrant. The matter is also now before the United States Supreme

Court in *United States v. Jones*. There is great local, state and national interest in this case and the issue of GPS tracking. There will be presentation of both state and national perspectives on the issue before this Court.

Respectfully, it is requested each side be permitted 30 minutes of argument before this Court.

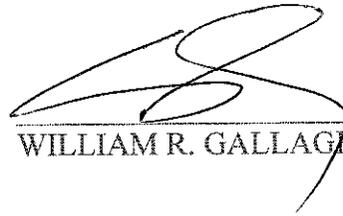
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'WRG', with a large loop at the end.

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CERTIFICATE OF SERVICE

I hereby certify that a copy of Appellant's Request for additional time at oral argument was served by email to Michael Gmoser, Michael Oster, Donald Caster, J. Ravert Clark, Louis Sirkin, Susan Walsh, Norman Reimer, Timothy Young, this 7th day of September, 2011.



WILLIAM R. GALLAGHER (0064683)