

ORIGINAL

In The Supreme Court Of Ohio

State Of Ohio, :
 Appellee, :
 -vs- : Case No. **2007-1741**
 Edward Lang, :
 Appellant. : **Death Penalty Case**

On Appeal From the Court of Common Pleas
 Stark County, Ohio
 Case No. 2006 CR 1824A

**Appellant Edward Lang's Motion for Reassignment of Counsel
 for Application for Reopening**

John D. Ferrero - 0018590
 Stark County Prosecutor

Office of the
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Counsel of Record

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Counsel for Appellant

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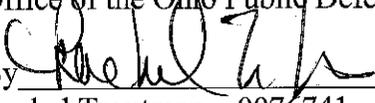
**Appellant Edward Lang's Motion for Reassignment of Counsel
for Application for Reopening**

Appellant Edward Lang moves this Court to reconsider its appointment of the Office of the Ohio Public Defender for the purpose of preparing and filing his application for reopening pursuant to S. Ct. Prac. R. 11.6. Because the Ohio Public Defender represented Lang on his direct appeal, it would in Lang's best interests to have an attorney *outside* the Office of the Ohio Public Defender evaluate and raise errors regarding direct appeal counsel's performance. Lang requests that the Court appoint qualified private attorney Laurence Komp.

A Memorandum of Law in Support of this Motion is attached.

Respectfully submitted,

Office of the Ohio Public Defender

By 

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Counsel For Appellant

MEMORANDUM IN SUPPORT

On August 31, 2011, this Court affirmed Appellant Edward Lang's convictions and death sentence. *State v. Lang*, 2011 Ohio 4215. On September 20, 2011, Lang filed a motion requesting that this Court appoint counsel for the purpose of preparing and filing his application for reopening pursuant to S. Ct. Prac. R. 11.6. In that motion, Lang indicated that it would be in his best interests to have an attorney *outside* the Office of the Ohio Public Defender evaluate and raise errors regarding direct appeal counsel's performance, because the Ohio Public Defender represented Lang on his direct appeal. (Motion for Appointment, p. 3.) Accordingly, Lang requests that a qualified private attorney be appointed to represent Lang for purposes of an application for reopening.

This Court appointed the Office of the Ohio Public Defender in its October 6, 2011, ruling. Lang now requests that this Court reassign counsel and appoint attorney Laurence Komp, who is Rule 20 certified and experienced in capital litigation.

To ensure adequate appellate review of his conviction and sentence, Appellant Edward Lang requests the appointment of Laurence Komp to his case for the purpose of reviewing his direct appeal record and potentially drafting, researching, and filing an application for reopening of Lang's direct appeal pursuant to S.Ct. Prac. R. 11.6. Lang further requests that this Court

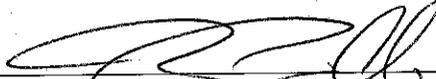
appoint Laurence Komp at this time, as opposed to when the mandate issues. In the alternative, Lang requests that this Court appoint Laurence Komp when it issues its mandate.

Respectfully submitted,

Office of the Ohio Public Defender

By 

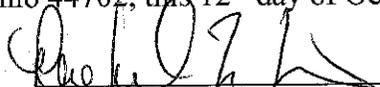
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Certificate of Service

I hereby certify that a true copy of **Appellant Edward Lang's Motion for Reassignment of Counsel for Application for Reopening** was forwarded by regular U.S. Mail to John D. Ferrero, Prosecutor and Mark Caldwell, Assistant Prosecutor, Stark County, 110 Central Plaza South, Suite 510, Canton, Ohio 44702, this 12th day of October, 2011.


Counsel for Appellant