

ORIGINAL

IN THE SUPREME COURT OF OHIO

STATE OF OHIO

:

CASE NO: 11-1631

Appellee,

:

v.

:

:

ANTHONY SOWELL

:

Appellant

:

MOTION TO REMAND CASE FOR EVIDENTIARY HEARING

John P. Parker
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Cleveland, Ohio 44119
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Counsel for Appellant

William Mason
Cuyahoga County Prosecutor
1200 Ontario Street
Justice Center-9th Floor
Cleveland, Ohio 44113
216-443-7800

Counsel for Appellee

FILED
OCT 24 2011
CLERK OF COURT
SUPREME COURT OF OHIO

Memorandum

Undersigned counsel respectfully requests an evidentiary hearing to determine the factual and legal basis for the trial court's decision, made after the jury returned a death verdict, to cut counsel's compensation by about 80% for the time frame of June 1, 2011-August 12, 2011 in this death penalty case. Instead of paying counsel the agreed upon hourly rate of \$95.00 the trial court, without notice and without the opportunity to be heard, cut counsel's hourly compensation to about \$18.50. The judge, his staff, two court reporters, three assistant county prosecutors, one law clerk for the State, two Cleveland Homicide detectives and court security staff received full pay while defense counsel learned, after the case was all but over, that his pay was being cut by 80%. The amount of money in dispute is about \$48,000.

Undersigned was appointed in December 2009 as lead counsel for Anthony Sowell in CR 530885 in Cuyahoga County. Mr. Sowell was charged with more than 80 felony counts and 22 counts of Aggravated Murder with death penalty specifications. There were 11 homicide victims named in the indictment and three attempted murder victims named also in the indictment. The charges stemmed from the execution of an arrest warrant at Mr. Sowell's home in Cleveland, Ohio; although Mr. Sowell and nobody else was home at the time of the execution of the warrant, the Cleveland Police discovered the remains of eleven women in his home and buried in his back yard.

Mr. Sowell offered to plead guilty to all charges, agreed to the maximum consecutive sentence, agreed to waive all appeals and post conviction relief in exchange for the State dismissing the death penalty specifications. The State rejected the plea offer and a jury trial was conducted.

Approximately 1000 summons were issued for jurors due to the extremely high level of media coverage of the Sowell case. It is safe to say that this was the most highly covered case in the media in recent memory. On Friday June 3, 2011, several hundred jurors answered their summons and 200 potential jurors were selected at random to complete questionnaires and return for individual voir dire. Copies of all questionnaires were provided to counsel on Saturday June 4, 2011. The individual voir dire process started on Monday June 6, 2011.

A jury returned a death verdict on August 10, 2011. The Court scheduled its formal sentencing hearing for Friday August 12, 2011.

On August 11, 2011 the court issued sua sponte an order "capping" defense attorney fees without notice to any of the parties. The trial judge did not mention this order on August 12, 2011 even though all parties were present for a sentencing hearing that took approximately 3 hours to conduct. Only after counsel returned to his office and Mr. Sowell had been sentenced to death, 11 times, did counsel find out about the August 11, 2011 order "capping" attorney fees. Counsel received the order by ordinary U.S. mail delivery.

Depending on how the order was to be interpreted and enforced, defense counsel learned that he would likely be unpaid for legal services provided during this approximately 10 week trial. In essence, the trial judge changed the rules after the jury's verdict. Counsel had been granted interim fees throughout the case and had been fairly compensated. Suddenly, after the case was all but over, the terms of counsel's acceptance of this difficult assignment had changed dramatically. Counsel never would have accepted the case if he had known that he would not be paid for approximately 8 weeks of a 10 week trial.

Undersigned counsel filed his final fee bill for the time period of June 1-August 12, 2011 on August 17, 2011. (See attached) Counsel billed at the previously agreed upon hourly rate of \$95.00 per hour in and out of court. The total number of hours billed were 620; 302 hours in court and 318 hours out of court. The total amount billed for fees equaled \$58,900.00. Also billed were \$1,207.59 in documented expenses.

On September 9, 2011, the trial judge issued an order paying the expenses in full and \$11,474.59 in fees. Approximately 80% of the attorneys fees were denied. Counsel in essence was paid approximately \$18.50 an hour instead of the agreed upon \$95.00 an hour. Counsel was given no notice and no hearing was conducted concerning this dramatic cut in compensation.

Counsel accepted this case under one set of rules and after the death verdict the trial judge changed the rules without notice or any opportunity to be heard.

The ABA Guidelines are recognized by the U.S. Supreme Court as a national standard which governs the conduct of death penalty cases and what counsel must do to properly investigate the trial and mitigation phases of a capital case. See Rompilla v. Beard, 545 U.S. 374 (2005) and Wiggins v. Smith, 539 U.S. 510 (2003).

The Ohio Supreme Court, in Superintendence Rule 20.03(A), requires counsel to provide "high quality" legal representation or have his certification to represent indigent capital defendants revoked.

The U.S. Supreme Court has held that counsel has a constitutional duty to conduct a thorough investigation into the defendant's background and to gather evidence relating to the defendant's personal moral culpability and that the ABA Guidelines for the Performance of Defense Counsel are professional guides as to what is expected of counsel. See Wiggins v.

Smith, 539 U.S. 510 (2003); Williams v. Taylor, 529 U.S. 362 (2000); Rompilla v. Beard, 545 U.S. 374 (2005); Florida v. Nixon, 543 U.S. 175, fn 6, (relying on commentary to ABA Guidelines for the Performance of Counsel).

Counsel must not overlook mitigation that is “starring us in the face” and must conduct an investigation in “exhaustive detail.” See Van Hook v. Bobby, 130 S. Ct. 13 (2009).

The penalty of death is ‘unique in both its severity and finality.’ Gardner v. Florida, 430 U.S. 349, 357 (1977). As a result, the Constitution demands “a greater degree of accuracy...than would be true in a noncapital case.” Gilmore v. Taylor, 508 U.S. 333, 342 (1993). The U.S. Supreme Court has long recognized that this qualitative difference in the severity of punishment creates a greater need for reliability in the determination that death is the appropriate punishment in a specific case. Woodson v. North Carolina, 428 U.S. 280, 305 (1976); see also Gregg v. Georgia, 428 U.S. 153 (1976); Ford v. Wainwright, 477 U.S. 399 (1986); Harmeline v. Michigan, 501 U.S. 957 (1991); Monge v. California, 524 U.S. 721 (1998).

Capital defendants have the right to present and have the jury consider evidence of their character, upbringing, human frailties and capacities that may lead to a sentence other than death. Lockett v. Ohio, 438 U.S. 586, 604-05; Eddings v. Oklahoma, 455 U.S. 104, 113-16, note 11 (1982); Roper v. Simmons, 543 U.S. 551, 568 (2005); Caldwell v. Mississippi, 472 U.S. 320, 330-31 (1985).

A jury’s decision whether to impose a death sentence or a life sentence is an “awesome responsibility” and the jury must make a “reasoned moral” decision. California v. Brown, 479 U.S. 538, 545 (1987)(O’Conner, J., concurring)(The sentence imposed at the penalty stage should reflect a reasoned moral response to the defendant’s background, character, and

crime....”); Caldwell v. Mississippi, 472 U.S. 320, 329-30 (1985)(quoting McGautha v. California, 402 U.S. 183, 208 (1971))(noting that “jurors [are] confronted with truly awesome responsibility of decreeing death”)

The ABA Guidelines for the Performance of Defense Counsel (2003) are the standards by which counsel conducted himself in this case and he gave notice to the Court of these standards shortly after his appointment and throughout the case in various funding motions filed with the trial court.

ABA Guideline 9.1(B) states

Counsel in death penalty cases should be fully compensated at a rate that is commensurate with the provision of high quality legal representation and reflects the extraordinary responsibilities inherent in death penalty representation.

ABA Guideline 9.1(B)(1) states simply the “Flat fees, caps on compensation and lump sum contracts are **improper** in death penalty cases.” (Emphasis added)

ABA Guideline 9.1(D) states “Additional compensation should be provided in unusually protracted or extraordinary cases.”

The commentary to the ABA 9.1 Guidelines is instructive concerning other professional standards that are applicable to this case. In short, the justice system gets what it pays for with respect to the quality of attorneys who will accept death penalty cases. Undersigned counsel never agreed to try this case for \$18.50 per hour and no competent attorney would have agreed to do so.

Other courts have addressed similar funding issues:

Archuletta v. Galetka, 197 P.3d 650 (Utah 2008). In the final section of the opinion, the court addresses the problems stemming from inadequate funding of defense counsel in capital cases.

State v. Young, 143 N.M. 1, 172 P.3d 138 (N.M. 2007). Here, the New Mexico Supreme Court held that where counsel for indigent capital defendants are inadequately compensated, the defendants are deprived of their right to the effective assistance of counsel. The opinion includes an extensive discussion of the unique character of death penalty cases and cites to the ABA Guidelines.

State v. Citizen, 898 So. 2d 325 (La. 2005). This opinion in a non-capital case held that upon an adequate showing, a trial court can prevent a criminal case from proceeding if adequate funds for the defense are not available.

State v. Peart, 621 So. 2d 780 (La. 1993). In this non-capital case, the court established a rebuttable presumption that certain criminal defendants were not receiving effective assistance because of the appointed counsel's excessive caseloads and the insufficient resources and support available to counsel.

White v. Board of County Commissioners, 537 So. 2d 1376 (Fla. 1989). In *White*, the court held that "all capital cases by their very nature can be considered extraordinary and unusual and arguably justify an award of attorney's fees in excess of the current statutory maximum fee cap."

Makemson v. Martin County, 491 So. 2d 1109 (Fla. 1986). *Makemson* held that the statutory maximum fees payable to counsel representing indigent defendants were "unconstitutional when applied to cases involving extraordinary circumstances and unusual representation." The opinion draws a direct connection between attorney compensation and the quality of representation.

Bailey v. State, 309 S.C. 455, 424 S.E.2d 503 (S.C. 1992). *Bailey* reaches the same conclusion as the Florida Supreme Court did in *Makemson*, holding that the hourly rates and caps set forth in South Carolina's statutes for compensating counsel are not absolute. The court also recognized the connection between attorney compensation and the quality of representation.

Jewell v. Maynard, 181 W.Va. 571, 383 S.E.2d 536 (W.Va. 1989). The court held that the statutory rates for counsel appointed to represent indigent defendants were unconstitutional. (Non-capital case.)

Pruett v. State, 574 So. 2d 1342 (Miss. 1990). Although the court held that the existing compensation structure was constitutional, Justice Andersen authored a lengthy

dissenting opinion that might be of interest.

State ex rel. Stephan v. Smith, 242 Kan. 336, 747 P.2d 816 (Kan. 1987). In this case, the court held that counsel appointed to represent indigent defendants were entitled to reasonable compensation. The opinion places the funding obligations squarely on the state's responsibility. (Non-capital case.)

Arnold v. Kemp, 306 Ark. 294, 813 S.W.2d 770 (Ark. 1991). *Arnold* held that the statutory caps on the attorney's fees and expenses for court-appointed counsel for indigent defendants were unconstitutional as applied. The court also observed the connection between attorney compensation and the quality of representation.

State v. Smith, 140 Ariz. 355, 681 P.2d 1374 (Ariz. 1984). The court held that because of systemic deficiencies in the system for selecting and compensating counsel to represent indigent defendants in Mohave County, Arizona, an inference of ineffective assistance of counsel would exist for every indigent defendant assigned counsel pursuant to the existing procedures. (Non-capital case.)

On November 24, 2010 the Iowa Supreme Court held that fee caps for indigent appeals were improper and remanded the case to determine "reasonable and necessary" fees that are consistent with the constitutional mandate of the effective assistance of counsel. See Simmons v. State Public Defender, 791 N.W. 2d 69 (Iowa 2010).

Some courts have invalidated fee caps on the grounds that fee caps amount to a taking of the property of attorneys in violation of Due Process of law. In this case, there is clearly a Due Process violation when the trial court changed the rules for compensation, i.e. the hourly rate, from \$95.00 per hour to approximately \$18.50 per hour **after the case was over**. See DeLisio v. Alaska Superior Court, 740 P.2d 437 (Alaska 1987); Arnold v. Kemp, 813 S.W.2d 770, 775 (Ark. 1991); State ex rel. Stephen v. Smith, 747 P.2d 816, 842 (Kan. 1987); State v. Lynch, 796 P.2d 1150 (Okla. 1990) and State ex rel. White v. Trent, 519 S.E.2d 649 (W.Va. 1999).

Twelve years ago Alabama changed its rate of compensation to \$40 per hour out of court and \$60 per hour in court, plus an additional hourly sum for "office overhead expenses" that averages approximately \$30 per hour, thus bringing the hourly rates to \$70/\$90. Wright v. Childree, 972 So.2d 771 (Ala. 2006). There is no limit to the hours submitted in a capital case in Alabama.

Louisiana, through the Louisiana Indigent Defense Assistance Board (now the Louisiana Public Defender Board), has created regional offices to handle capital cases – for conflict cases the state pays an hourly rate ranging from \$75 in Shreveport to \$110 in New Orleans.

Virginia pays court-appointed attorneys \$125 per hour with no limitations as to number of hours; Illinois, which abolished the death penalty on 3/10/11, was paying its capital attorneys \$145.39 per hour as of 2007; Idaho pays a range of \$90-150 per hour.

Mississippi now pays conflict counsel \$125 per hour without limitations to lead counsel and \$100 per hour to associate counsel.

The federal government pays private counsel \$178 per hour without a cap.

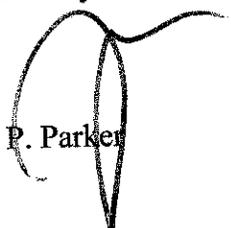
Conclusion

The hourly rate of approximately \$18.50 imposed upon counsel **after the case was over** and never agreed to by counsel is outside the mainstream of reasonable compensation for counsel in capital cases, contrary to the ABA Guidelines, constitutes a breach of contract and unconstitutional taking of property from counsel and is frankly an unwarranted act of judicial power without any factual basis or legal authority. Counsel had no choice but to try the case and the hours submitted were reasonable and necessary.

This Court should remand this case for an evidentiary hearing to determine the factual and legal basis for the trial court's decision to cut counsel's compensation from \$95.00 per hour to about \$18.50 per hour.

Respectfully submitted,

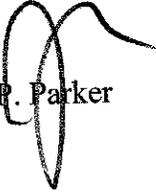
John P. Parker



Service

A copy of the foregoing document was served upon William Mason, County prosecutor, 1200 Ontario, Justice Center-9th Floor, Cleveland, Ohio 44113 this 24th Day of October 2011 via U.S. Mail postage prepaid.

John P. Parker



MOTION, ENTRY, AND CERTIFICATION FOR APPOINTED COUNSEL FEES

In the COMMON PLEAS Court of CUYAHOGA COUNTY, Ohio

Plaintiff:

Case No. 530885

Appellate Case No. (if app.) _____

v. Anthony Sowell

Capital Offense Case (check if Capital Offense case)
 Guardian Ad Litem (check if appointed as GAL)

Defendant/Party Represented

Judge: AMBROSE

In re: _____

MOTION FOR APPROVAL OF PAYMENT OF APPOINTED COUNSEL FEES AND EXPENSES

The undersigned having been appointed counsel for the party represented moves this Court for an order approving payment of fees and expenses as indicated in the itemized statement herein. I certify that I have received no compensation in connection with providing representation in this case other than that described in this motion or which has been approved by the Court in a previous motion, nor have any fees and expenses in this motion been duplicated on any other motion. I, or an attorney under my supervision, have performed all legal services itemized in this motion.

Periodic Billing (check if this is a periodic bill) #5 - FINAL - (JUNE - AUG. 2011) - TRIAL

As attorney/guardian ad litem of record, I was appointed on 12-3 2009. This case terminated and/or was disposed of on 8-12 2011. I am submitting this application on 8-17 2011

Name JOAN P. PARKER Signature _____
 Address 988 E. 185th St. Cleveland OH 44119 SSN/Tax ID ~~XXXXXXXXXX~~
No. and Street City State Zip OSC Reg. No. 0041243

SUMMARY OF CHARGES, HOURS, EXPENSES, AND BILLING

OFFENSE/CHARGE/MATTER	ORG/CITY CODE	DEGREE	DISPOSITION
1) <u>ADULT MURDER w/ Death Spec.</u>	<u>2903.01</u>	<u>1st DEGREE</u>	<u>GUILTY</u>
2) <u>+ 60 other felonies</u>			<u>21 of 22 cts. DEATH PENALTY</u>
3) _____			

*List only the three most serious charges beginning with the one of greatest severity and continuing in descending order.

Grand Total Hours From Other Side:	IN-COURT			GRAND TOTAL
	OUT-OF-COURT	PRE-TRIAL HEARINGS	ALL OTHER IN-COURT	
	<u>318</u>		<u>302</u>	<u>620</u>

Flat Fee Hrs:In 302.0 X Rate 95 = \$ 28,690 Tot. Fees \$ 58,900
 Min Fee Hrs:Out 318.0 X Rate 95 = \$ 30,210 Expenses \$ 120,769 Total \$ 60,107.59

JUDGMENT ENTRY

The Court finds that counsel performed the legal services set forth on the itemized statement on the reverse hereof, and that the fees and expenses set forth on this statement are reasonable, and are in accordance with the resolution of the Board of County Commissioners of _____ County, Ohio relating to payment of appointed counsel, that all rules and standards of the Ohio Public Defender Commission and State Public Defender have been met.

IT IS THEREFORE ORDERED that counsel fees and expenses be, and are hereby approved, in the amount of \$ _____
 It is further ordered that the said amount be, and hereby is, certified by the Court to the County Auditor for payment.

Extraordinary fees granted (copy of journal entry attached) Judge _____ Signature _____ Date _____

CERTIFICATION

The County Auditor, in executing this certification, attests to the accuracy of the figures contained herein. A subsequent audit by the Ohio Public Defender Commission and/or Auditor of the State which reveals unallowable or excessive costs may result in future adjustments against reimbursement or repayment of audit exceptions to the Ohio Public Defender Commission.

County Number _____ Warrant Number _____ Warrant Date _____
 County Auditor _____

CASE NUMBER 530885

ATTORNEY/GAL JOHN P. PARKER

IF CAPITAL OFFENSE CASE, LIST CO-COUNSEL'S NAME HERE: RUFUS SIMS

JULY 2011

ITEMIZED FEE STATEMENT

I hereby certify that the following time was expended in representation of the defendant/party represented:

DATE OF SERVICE	OUT-OF-COURT TOTAL	IN-COURT			DAILY TOTAL	DATE OF SERVICE (continued)	OUT-OF-COURT TOTAL	IN-COURT			DAILY TOTAL
		PRE-TRIAL HEARINGS	ALL OTHER IN-COURT	IN-COURT TOTAL				PRE-TRIAL HEARINGS	ALL OTHER IN-COURT	IN-COURT TOTAL	
7/1/11	8.0				8.0	7/23	6.0				6.0
7/2	4.0				4.0	7/24	6.0				6.0
7/3	6.0				6.0	7/25	6.0				6.0
7/4	8.0				8.0	7/26	10.0				10.0
7/5	2.0		8.0		10.0	7/27	10		1.0		11.0
7/6	2.0		8.0		10.0	7/28	10				10.0
7/7	2.0		8.0		10.0	7/29	10				10
7/8	2.0		8.0		10.0	7/30	10				10
7/9	8.0				8.0	7/31	10				10
7/10	8.0				8.0						
7/11	8.0				8.0						
7/12	2.0		8.0		10.0						
7/13	2.0		8.0		10.0						
7/14	2.0		8.0		8.0						
7/15	2.0		8.0		8.0						
7/16	6.0				6.0						
7/17	8.0				8.0						
7/18	2.0		8.0		8.0						
7/19	2.0		8.0		8.0						
7/20	6.0				6.0						
7/21	6.0		2.0		2.0						
7/22	8.0				8.0						
GRAND TOTAL							178-		83.0		261

Continue at top of next column.

Time is to be reported in tenth of an hour (6 minute) increments.

I hereby certify that the following expenses were incurred:

Use the following categories for Type: (1) Experts (2) Postage/Phone (3) Records/Reports (4) Transcripts (5) Travel (6) Other

TYPE	PAYEE	AMOUNT
	See Attached	
TOTAL		

Clearly identify each expense and include a receipt for any expense over \$1.00. See Section (F)(1)(c) for privileged information.

VII. MONTHLY LIABILITIES/OTHER EXPENSES

VIII. GRAND TOTALS

Category of Liability	Amount
Rent / Mortgage	
Food	
Electric	
Gas	
Fuel	
Telephone	
Cable	
Water / Sewer / Trash	
Credit Cards	
Loans	
Taxes Owed	
Other	0
E. LIABILITIES & OTHER EXPENSE	

C. ADJ. TOTAL INCOME

D. TOTAL ASSETS

E. LIABILITIES & OTHER

\$25.00 APPLICATION FEE NOTICE

By submitting this Financial Disclosure Form/Affidavit of Indigency Form, you will be assessed a non-refundable \$25.00 application fee unless waived or reduced by the court. If assessed, the fee is to be paid to the clerk of courts within seven (7) days of submitting this form to the court, the public defender, your appointed counsel or any other party who will make a determination regarding your indigency.

IX. AFFIDAVIT OF INDIGENCY

I, Anthony Sewell (affiant) being duly sworn, say:

- I am financially unable to retain private counsel without substantial hardship to me or my family.
- I understand that I must inform the public defender or appointed attorney if my financial situation should change before the disposition of the case(s) for which representation is being provided.
- I understand that if it is determined by the county, or by the Court, that legal representation should not have been provided, I may be required to reimburse the county for the costs of representation provided. Any action filed by the county to collect legal fees hereunder must be brought within two years from the last date legal representation was provided.
- I understand that I am subject to criminal charges for providing false financial information in connection with the above application for legal representation pursuant to Ohio Revised Code Sections 120.05 and 2921.13.
- I hereby certify that the information I have provided on this financial disclosure form is true to the best of my knowledge.

Anthony E Sewell
 Affiant's Signature Date

Notary Public/Individual duly authorized to administer oath:

Subscribed and duly sworn before me according to law, by the above named applicant this 28 day of JUNE, 2011, at Cleveland, County of Cuyahoga and State of Ohio.

Signature of person administering oath: John P. Parker Title: Attorney
NO EXP. DATE.

X. JUDGE CERTIFICATION

I hereby certify that above-noted applicant is unable to fill out and/or sign this financial disclosure/affidavit for the following reason: _____

I have determined that the applicant meets the criteria for receiving court appointed counsel.

 Judge's Signature Date

August 17, 2011

Expense Sheet

Anthony Sowell (CR 530885)

I hereby certify the following expenses were incurred June 2011-August 2011:

TYPE	PAYEE	AMOUNT
2. Postage/phone	UPS	\$332.89
	1800-Conference	\$254.50
	(See attached receipts)	
3. Records/Reports	Medical/gov't records	\$65.80
	(See attached receipts)	
5. Travel	Travelocity (Airline Ticket for Witness Twyla Austin)	\$521.00
	(See attached receipt)	
6. Other	Staples	\$33.40
	(See attached receipts)	
		<u>\$1207.59</u>

UPS Billing Center

UPS Shipping Document Shipment Detail

Print this page Close

Invoice Date: Jul 16, 2011
 Invoice Number: 0000FF4213291
 Account Number: FF4213
 Invoice Due Date: Jul 25, 2011

Pickup Date:	Jul 08, 2011	Sender :	
Tracking Number:	1ZFF42132210001499	JOHN P PARKER ATTORN	
Service:	Next Day Air Commercial	MIDDLEBURG HTS, OH 44130	
Zone:	103	Receiver:	
Weight:	Letter	LORI JAMES TOWNES	
Number of Packages:	1	BALTIMORE, MD 21237	
Ref. No.1:			
Ref. No.2:			

	Published Charge	Incentive Credit	Billed Charge
Next Day Air Commercial	\$20.00	(\$2.40)	\$17.60
Fuel Surcharge	\$2.90	(\$0.35)	\$2.55
Total	\$22.90	(\$2.75)	\$20.15

UPS Billing Center

UPS Shipping Document Shipment Detail

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Invoice Date: Jul 16, 2011
 Invoice Number: 0000FF4213291
 Account Number: FF4213
 Invoice Due Date: Jul 25, 2011

Pickup Date: Jul 08, 2011	Sender :
Tracking Number: 1ZFF42132210001480	JOHN PARKER ATTORNEY
Service: Next Day Air Commercial	MIDDLEBURG HTS, OH 44130
Zone: 105	Receiver:
Weight: Letter	REBECCA OHLER
Number of Packages: 1	NOLA INVESTIGATES
Ref. No.1:	NEW ORLEANS, LA 70130
Ref. No.2:	

	Published Charge	Incentive Credit	Billed Charge
Next Day Air Commercial	\$24.80	(\$2.98)	\$21.82
Fuel Surcharge	\$3.60	(\$0.43)	\$3.17
Total	\$28.40	(\$3.41)	\$24.99

UPS Billing Center

UPS Shipping Document Shipment Detail

Print this page Close

Invoice Date: Jul 16, 2011
 Invoice Number: 0000FF4213291
 Account Number: FF4213
 Invoice Due Date: Jul 25, 2011

Pickup Date: Jul 08, 2011 Tracking Number: 1ZFF42132210001471 Service: Next Day Air Commercial Zone: 108 Weight: Letter Number of Packages: 1 Ref. No.1: Ref. No.2:	Sender: JOHN P PARKER ATTORN MIDDLEBURG HTS, OH 44130 Receiver: DR GEORGE WOODS OAKLAND, CA 94602
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	Published Charge	Incentive Credit	Billed Charge
Next Day Air Commercial	\$27.95	(\$3.35)	\$24.60
Fuel Surcharge	\$4.05	(\$0.49)	\$3.56
Total	\$32.00	(\$3.84)	\$28.16

UPS Billing Center

UPS Shipping Document Shipment Detail

Print this page Close

Invoice Date: Jun 18, 2011
 Invoice Number: 0000FF4213251
 Account Number: FF4213
 Invoice Due Date: Jun 27, 2011

Pickup Date:	Jun 10, 2011	Sender :	JOHN P PARKER ATTORN CLEVELAND, OH 44105
Tracking Number:	1ZFF42132210001444	Receiver:	LORI JAMES TOWNES LC ROSEDALE, MD 21237
Service:	Next Day Air Commercial		
Zone:	103		
Weight:	9 lbs		
Number of Packages:	1		
Ref. No.1:			
Ref. No.2:			

	Published Charge	Incoactive Credit	Billed Charge
Next Day Air Commercial	\$40.95	(\$4.91)	\$36.04
Fuel Surcharge	\$6.55	(\$0.79)	\$5.76
Total	\$47.50	(\$5.70)	\$41.80

UPS Billing Center

UPS Shipping Document Shipment Detail

Print this page Close

Invoice Date: Jun 18, 2011
Invoice Number: 0000FF4213251
Account Number: FF4213
Invoice Due Date: Jun 27, 2011

Pickup Date: Jun 10, 2011 Tracking Number: 1ZFF42132210001435 Service: Next Day Air Commercial Zone: 108 Weight: 9 lbs Number of Packages: 1 Ref. No.1: Ref. No.2:	Sender: JOHN P PARKER ATTORN CLEVELAND, OH 44105 Receiver: DR GEORGE WOODS OAKLAND, CA 94602
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	Published Charge	Incentive Credit	Billed Charge
Next Day Air Commercial	\$85.35	(\$10.24)	\$75.11
Fuel Surcharge	\$13.66	(\$1.64)	\$12.02
Total	\$99.01	(...)	\$87.13

UPS Billing Center

UPS Shipping Document Shipment Detail

Invoice Date: Jun 18, 2011
Invoice Number: 0000FF4213251
Account Number: FF4213
Invoice Due Date: Jun 27, 2011

Pickup Date: Jun 18, 2011 Tracking Number: 1ZFF42132210001426 Service: Next Day Air Commercial Zone: 108 Weight: Letter Number of Packages: 1 Ref. No.1: Ref. No.2:	Sender : JOHN P PARKER ATTORN CLEVELAND, OH 44105 Receiver: DR DALE WATSON CLINICAL AND FORENSI ANTIOCH, CA 94531
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	Published Charge	Incentive Credit	Billed Charge
Next Day Air Commercial	\$27.95	(\$3.35)	\$24.60
Fuel Surcharge	\$4.47	(\$0.54)	\$3.93
Total	\$32.42	(\$3.89)	\$28.53

UPS Billing Center

UPS Shipping Document Shipment Detail

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Invoice Date: Jun 18, 2011
 Invoice Number: 0000FF4213251
 Account Number: FF4213
 Invoice Due Date: Jun 27, 2011

Pickup Date: Jun 10, 2011	Sender : JOHN P PARKER ATTORN CLEVELAND, OH 44105
Tracking Number: 1ZFF42132210001417	<div style="border: 1px solid black; border-radius: 50%; padding: 10px; display: inline-block;"> Receiver: REBECCA OHLER NOLA INVESTIGATES NEW ORLEANS, LA 70130 </div>
Service: Next Day Air Commercial	
Zone: 105	
Weight: Letter	
Number of Packages: 1	
Ref. No.1:	
Ref. No.2:	

	Published Charge	Incentive Credit	Billed Charge
Next Day Air Commercial	\$24.80	(\$2.98)	\$21.82
Fuel Surcharge	\$3.97	(\$0.48)	\$3.49
Total	\$28.77	(indiv)	\$25.31

UPS Billing Center

UPS Shipping Document Shipment Detail

Print this page Close

Invoice Date: May 21, 2011
 Invoice Number: 0000FF4213211
 Account Number: FF4213
 Invoice Due Date: May 30, 2011

Pickup Date:	May 18, 2011	Sender :	
Tracking Number:	1ZFF42132210001382	JOHN P PARKER ATTORN	
Service:	Next Day Air Commercial	MIDDLEBURG HTS, OH 44130	
Zone:	103	Receiver:	
Weight:	Letter	LORI JAMES TOWNES LC	
Number of Packages:	1	ROSEDALE, MD 21237	
Ref. No.1:			
Ref. No.2:			

	Published Charge	Incentive Credit	Billed Charge
Next Day Air Commercial	\$20.00	(\$2.40)	\$17.60
Fuel Surcharge	\$3.00	(\$0.36)	\$2.64
Total	\$23.00	(\$2.76)	\$20.24

UPS Billing Center

UPS Shipping Document Shipment Detail

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Close

Invoice Date: May 21, 2011
 Invoice Number: 0000FF4213211
 Account Number: FF4213
 Invoice Due Date: May 30, 2011

Pickup Date:	May 18, 2011	Sender :	
Tracking Number:	1ZFF42132210001391	JOHN P PARKER ATTORN	
Service:	Next Day Air Commercial	MIDDLEBURG HTS, OH 44130	
Zone:	108	Receiver:	
Weight:	Letter	DR GEORGE WOODS	
Number of Packages:	1	OAKLAND, CA 94602	
Ref. No.1:	1		
Ref. No.2:			

	Published Charge	Incentive Credit	Billed Charge
Next Day Air Commercial	\$27.95	(\$3.35)	\$24.60
Fuel Surcharge	\$4.19	(\$0.50)	\$3.69
Total	\$32.14	(\$3.85)	\$28.29

UPS Billing Center

UPS Shipping Document Shipment Detail

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Close

Invoice Date: May 21, 2011
 Invoice Number: 0000FF4213211
 Account Number: FF4213
 Invoice Due Date: May 30, 2011

Pickup Date:	May 18, 2011	Sender :	
Tracking Number:	1ZFF42132210001408	JOHN P PARKER ATTORN	
Service:	Next Day Air Commercial	MIDDLEBURG HTS, OH 44130	
Zone:	108	Receiver:	
Weight:	Letter	DR DALE WATSON	
Number of Packages:	1	ANTIOCH, CA 94531	
Ref. No.1:			
Ref. No.2:			

	Published Charge	Incentive Credit	Billed Charge
Next Day Air Commercial	\$27.95	(\$3.35)	\$24.60
Fuel Surcharge	\$4.19	(\$0.50)	\$3.69
Total	\$32.14	(\$3.85)	\$28.29

1-800-CONFERENCE

*pd. 6/25/11
ck# 1562*



Account Number 0220000206668
 Invoice Number 1200742518
 Invoice Date 05/24/2011

Tax Summary		Sub-Total	\$70.79
Federal Tax	\$10.55	Taxes	\$15.86
State Tax	\$3.89	Payments	\$0.00
Local Tax	\$1.42	Amount Due	\$86.65

John P Parker, Attorney at Law
 988 E 185th Street
 Cleveland, OH 44119

SOWELL 530885

Please write your account number on your check for \$86.65 that is payable to 1-800-CONFERENCE(R) and remit to:

1-800-CONFERENCE(R)
 P.O. Box 6163
 AURORA, IL 60507-3163

Tax ID Number : 74-2746907

Payment Terms: Net 30 - Due Date: 06/23/11

Host Name : John Parker
 Arranged By : John Parker at (216) 881-0800

Confirmation Number 28635798
 Original Confirmation #: 25728924
 Conference Date: 5/17/11
 (Central Time) Conference Time: 03:00 PM

Participant Name	Description	Connect	Qty	Setup	Unit Cost	Amount
John Parker	24x7 Toll Free Passcode	03:02 PM	54	.00	.4290	\$23.17
PASSCODE PARTICIPANT	24x7 Toll Free Passcode	03:00 PM	56	.00	.4290	\$24.02
PASSCODE PARTICIPANT	24x7 Toll Free Passcode	03:01 PM	56	.00	.4290	\$23.60

Conference Sub-total : \$70.79

Taxes & Fees Summary:
 Fed Univsl Svc Fund (FUSF): 10.55

Sub-Total	\$70.79
Taxes	\$15.86
Payments	\$0.00
Amount Due	\$86.65

John P Parker, Attorney at Law

For Billing inquiries, please call 1-800-266-3373, and then Press 5.
 For all other inquiries, please contact us at 1-800-266-3373 and select the appropriate prompt.

POWERED BY
 conferenceplus

Thank you for using 1-800-CONFERENCE



Account Number 02200002086668
 Invoice Number 1200744857
 Invoice Date 06/24/2011

Tax Summary		Sub-Total	\$57.49
Federal Tax	\$8.57	Taxes	\$12.88
State Tax	\$3.16	Payments	\$0.00
Local Tax	\$1.15	Amount Due	\$70.37

John P Parker, Attorney at Law
 988 E 185th Street
 Cleveland, OH 44119

Please write your account number on your check for \$70.37 that is payable to 1-800-CONFERENCE(R) and remit to:

1-800-CONFERENCE(R)
 P.O. Box 8103
 AURORA, IL 60507-8103

Tax ID Number : 74-2746907
 Payment Terms: Net 30 - Due Date: 07/24/11

SWELL - CR530885

Host Name : John Parker
 Arranged By : John Parker at (216) 861-0900

Confirmation Number: 29879620
 Original Confirmation #: 26728924
 Conference Date: 5/23/11
 (Central Time) Conference Time: 03:30 PM

Participant Name	Description	Connect	Qty	Setup	Unit Cost	Amount
John Parker	24x7 Toll Free Passcode	03:30 PM	38	.00	.4290	\$16.30
PASSCODE PARTICIPANT	24x7 Toll Free Passcode	03:32 PM	21	.00	.4290	\$9.01
PASSCODE PARTICIPANT	24x7 Toll Free Passcode	03:31 PM	37	.00	.4290	\$15.87
PASSCODE PARTICIPANT	24x7 Toll Free Passcode	03:30 PM	38	.00	.4290	\$16.30

Conference Sub-total : \$57.49

Taxes & Fees Summary:
 Fed Univrsl Svc Fund (FUSF): 8.57

Sub-Total	\$57.49
Taxes	\$12.88
Payments	\$0.00
Amount Due	\$70.37

Swell
pd: 7/22/11
ck# 1572

John P Parker, Attorney at Law

For Billing Inquiries, please call 1-800-266-3373, and then Press '5'.
 For all other inquiries, please contact us at 1-800-266-3373 and select the appropriate prompt.

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PA. 8/11/11
 REF #
 1576

Account Number 02200002086668
 Invoice Number 1200747189
 Invoice Date 07/26/2011

John P Parker, Attorney at Law
 988 E 185th Street
 Cleveland, OH 44119

SWELL (2530885)

Tax Summary		Sub-Total	\$79.79
Federal Tax	\$11.70	Taxes	\$17.69
State Tax	\$4.39	Payments	\$0.00
Local Tax	\$1.60	Amount Due	\$97.48

Please write your account number on your check for \$97.48 that is payable to 1-800-CONFERENCE(R) and remit to:

1-800-CONFERENCE(R)
 P.O. Box 8103
 AURORA, IL 60507-8103

Tax ID Number : 74-2746907
 Payment Terms: Net 30 - Due Date: 08/25/11

Host Name : John Parker
 Arranged By : John Parker at (216) 881-0900

Confirmation Number:30124601
 Original Confirmation #: 26728924
 Conference Date: 6/23/11
 (Central Time) Conference Time: 05:59 PM

Participant Name	Description	Connect	Qty	Setup	Unit Cost	Amount
John Parker	24x7 Toll Free Passcode	05:59 PM	50	.00	.4290	\$21.45
PASSCODE PARTICIPANT	24x7 Toll Free Passcode	06:59 PM	50	.00	.4290	\$21.45

Conference Sub-total : **\$42.90**

Taxes & Fees Summary:
 Fed Univrsl Svc Fund (FUSF): 6.39

Host Name : John Parker
 Arranged By : John Parker at (216) 881-0900

Confirmation Number:30234462
 Original Confirmation #: 26728924
 Conference Date: 7/10/11
 (Central Time) Conference Time: 02:02 PM

Participant Name	Description	Connect	Qty	Setup	Unit Cost	Amount
John Parker	24x7 Toll Free Passcode	02:02 PM	29	.00	.4290	\$12.44
PASSCODE PARTICIPANT	24x7 Toll Free Passcode	02:02 PM	29	.00	.4290	\$12.44
PASSCODE PARTICIPANT	24x7 Toll Free Passcode	02:03 PM	28	.00	.4290	\$12.01

Conference Sub-total : **\$36.89**

Taxes & Fees Summary:
 Fed Univrsl Svc Fund (FUSF): 5.31

Sub-Total	\$79.79
Taxes	\$17.69
Payments	\$0.00
Amount Due	\$97.48

John P Parker, Attorney at Law

For Billing Inquiries, please call 1-800-266-3373, and then Press '5'.
 For all other inquiries, please contact us at 1-800-266-3373 and select the appropriate prompt.

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Thank you for using 1-800-CONFERENCE

INVOICE FOR RELEASE OF INFORMATION

Swell \$30885

Patient: HATCHER, PATRICIA [0056075]

Requested By:
JOHN P. PARKER
988 EAST 185TH STREET
CLEVELAND , OH 44119

pd. 6/25/11

Account Number: 24105
Billing Date: 6/16/11

Amount Due: \$65.40

Depart: 06:05pm Chicago, IL (ORD) to
Arrive: 08:31pm Cleveland, OH (CLE)

Continental Airlines
Flight 4918 operated by
COLGAN AIR DBA
CONTINENTAL
CONNECTION
Economy Class
(on De Havilland
Canada DHC-8 Dash 8-
400)
Confirmation #: AV924S
Adult fare rules

Total Travel Time: 8 hrs 1 min

Wed, Aug 3, 2011 Cleveland Hopkins International Airport (CLE) to Little
Rock (LIT)

Depart: 04:56pm Cleveland, OH (CLE) to
Arrive: 06:36pm Newark, NJ (EWR)

Continental Airlines
Flight 112
Economy Class
(on Boeing 737-700)
Adult fare rules

1 Stop - change planes in Newark, NJ (EWR)
Connection Time: 54 mins

Depart: 07:30pm Newark, NJ (EWR) to
Arrive: 09:36pm Little Rock, AR (LIT)

Continental Airlines
Flight 2753 operated by
EXPRESSJET
AIRLINES INC DBA CO
EXPRESS
Economy Class
(on Embraer RJ135/145)
Confirmation #: AV924S
Adult fare rules

Total Travel Time: 5 hrs 41 mins

Passenger Name Frequent Flyer Information
Austin Twyla You can add your frequent flyer number at the
airport.

Travel Alert!

The TSA has adjusted its ban on liquids, aerosols, and gels, so you can now carry the following items on board your flight:

- Travel size toiletries (3. ounces or less) that fit comfortably in a quart-size, clear plastic zip-top bag. One zip-top bag is permitted per passenger. Beverages and other items purchased in the secure boarding area.
- At the security checkpoint, place the zip-top bag of liquids in a bin or on the conveyor belt for inspection.
- Passengers carrying on larger amounts of prescription liquid medications, baby formula, and diabetic glucose treatments must declare these at the security checkpoint for additional screening.

Arrive at the airport early. Enhanced security measures may mean longer lines at security checkpoints.

This new security policy applies to all domestic and international flights departing from U.S. airports. We always recommend checking the TSA Web site (www.tsa.gov) for the most up-to-date information about security procedures. If you are departing from a non-U.S. airport, be sure to check that airport's security policies and pack accordingly.

Pricing

1 Adult:	\$483.00
<u>Taxes & Fees:</u>	<u>\$28.00</u>
Total:	\$521.00

SOWELL
CR536885
Witness
Penalty
Pluto