

**ORIGINAL**

NO. 2011-1066

**IN THE SUPREME COURT OF OHIO**

**APPEAL FROM  
THE COURT OF APPEALS FOR CUYAHOGA COUNTY, OHIO  
NO. 95376**

**STATE OF OHIO  
Plaintiff-Appellant**

**-vs-**

**LINDELL W. BRUNNING, JR.  
Defendant-Appellee**

**STIPULATION TO EXTENSION OF TIME TO FILE MERIT BRIEF TO DECEMBER 19, 2011**

**Counsel for Plaintiff-Appellant**

**William D. Mason (#0037540)  
Cuyahoga County Prosecutor**

**\*Daniel T. Van (#0084614)  
Assistant Prosecuting Attorney  
1200 Ontario Street, 8<sup>th</sup> Floor  
Cleveland, Ohio 44113  
(216) 443-7800  
(216) 443-7602 (fax)**

**\* Counsel of Record**

**Counsel for Defendant-Appellee**

**Robert Tobik (#0029286)  
Cuyahoga County Public Defender**

**Cullen Sweeney (#0077187)  
Assistant Public Defender  
310 Lakeside Avenue, Suite 200  
Cleveland, Ohio 44113  
(216) 443-3660  
(216) 443-3632 (fax)**

**FILED**  
NOV 22 2011  
CLERK OF COURT  
SUPREME COURT OF OHIO

**STIPULATION TO EXTENSION OF TIME TO FILE MERIT BRIEF TO DECEMBER 19, 2011**

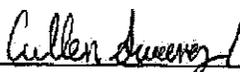
As required and in compliance with S. Ct. Prac. R. 14.3(B)(2)(a), the undersigned counsel for Appellant and counsel for Appellant have verbally agreed to a stipulated twenty-day extension of time to file Appellant's merit brief. The filing date for Appellant's merit brief is extended by stipulation from November 28, 2011 to December 19, 2011

Respectfully Submitted,

William D. Mason (#0037540)  
Cuyahoga County Prosecutor

Robert Tobik (#0029286)  
Cuyahoga County Public Defender

By:   
Daniel T. Van (#0084614)  
Assistant Prosecuting Attorney  
The Justice Center  
1200 Ontario Street  
Cleveland, Ohio 44113  
(216) 443-7800

By:  PTV Reg # 0084614  
(verbal consent)  
Cullen Sweeney (#0077187)  
Assistant Public Defender  
310 Lakeside Avenue, Suite 200  
Cleveland, Ohio 44113  
(216) 443-3660

*Counsel for Appellant-State of Ohio*

*Counsel for Appellee-Lindell Brunning, Jr.*

**CERTIFICATE OF SERVICE**

A copy of the foregoing stipulation to extension of time to file merit brief to December 19, 2011 has been sent this <sup>22<sup>nd</sup></sup> day of November 2011 via U.S. Mail to Counsel for Appellee-Cullen Sweeney, 310 Lakeside Avenue, Suite 200, Cleveland, Ohio 44113.

  
Daniel T. Van (#0084614)  
Assistant Prosecuting Attorney