

ORIGINAL

CASE NO. 12-0252

IN THE SUPREME COURT OF OHIO

APPEAL FROM  
THE EIGHTH DISTRICT COURT OF APPEALS  
CUYAHOGA COUNTY, Ohio

CA 96653

STATE OF OHIO  
Plaintiff-Appellant

vs.

MATTHEW LINDSTROM,  
Defendant-Appellee

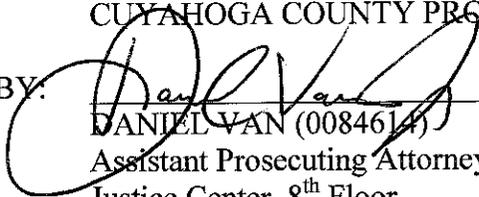
**NOTICE OF APPEAL TO THE SUPREME COURT OF OHIO**

Now comes the State of Ohio to hereby give Notice of Appeal to this Supreme Court of Ohio from a judgment and final order of the Court of Appeals for Cuyahoga County, Ohio, Eighth Judicial District, journalized December 29, 2011, which affirmed the trial court's ruling. S.Ct. Prac. R. II, §2(A)(1).

This cause did not originate in the Court of Appeals, it is a felony, it involves a substantial constitutional question, and it is of great general and public interest.

Respectfully submitted,

WILLIAM D. MASON  
CUYAHOGA COUNTY PROSECUTOR

BY:   
DANIEL VAN (0084614)  
Assistant Prosecuting Attorney

Justice Center, 8<sup>th</sup> Floor  
1200 Ontario Street  
Cleveland, Ohio 44113  
(216) 443-7800

RECEIVED  
FEB 10 2012  
CLERK OF COURT  
SUPREME COURT OF OHIO

FILED  
FEB 10 2012  
CLERK OF COURT  
SUPREME COURT OF OHIO

**CERTIFICATE OF SERVICE**

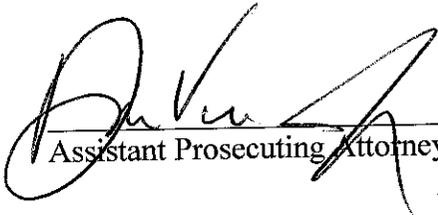
A true and accurate copy of the foregoing Notice of Appeal has been sent by regular

United States Mail on this 9<sup>th</sup> day of February, 2012 to:

JOHN B GIBBONS  
2000 STANDARD BLDG  
1370 ONTARIO STREET  
CLEVELAND, OH 44113

And

OHIO PUBLIC DEFENDER'S OFFICE  
250 EAST BROAD STREET, SUITE 1400  
COLUMBUS, OH 43215

  
Assistant Prosecuting Attorney