

In The Supreme Court Of Ohio

State Of Ohio, :  
 Appellee, :  
 -Vs- : Case No: 2007-2021  
 Lamont Hunter, :  
 Appellant. : **This Is A Capital Case.**

Motion For Stay Of Execution Pending Disposition of Available Remedies

Execution scheduled March 5, 2014

Joseph T. Deters  
Hamilton County Prosecutor

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Ohio Public Defender

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COUNSEL FOR APPELLEE

COUNSEL FOR APPELLANT

<b>FILED</b>
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**Motion For Stay Of Execution Pending Disposition of Available Remedies**

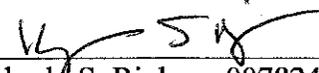
**Execution scheduled March 5, 2012**

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Lamont Hunter moves this Court to stay his **execution set for March 5, 2014**, pending disposition of his available remedies. The reasons for this motion are more fully set forth in the attached memorandum.

Respectfully submitted,

Office of the  
Ohio Public Defender

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Kimberly S. Rigby - 0078245  
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Counsel of Record

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**Memorandum In Support Of Motion To Stay Execution**  
**Pending Disposition Of Appeal**

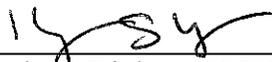
Lamont Hunter now moves this Court for an order continuing his stay of execution pending the exhaustion of available postconviction remedies, including all appeals. Under *State v. Steffen*, 70 Ohio St. 3d 399, 639 N.E.2d 67 (1994), Hunter is entitled to a stay of execution until he has “exhausted . . . one round of postconviction relief, and one motion for delayed reconsideration . . . in the court of appeals . . . .” *Id.* at 77. See also *State v. Glenn*, 33 Ohio St. 3d 601, 514 N.E.2d 869 (1987).

On June 25, 2008, Hunter filed his Petition to Vacate or Set Aside Sentence Pursuant to Ohio Revised Code Section 2953.21. The trial court denied the Petition and filed its Finding of Fact and Conclusions of Law on July 16, 2009. Hunter then filed a timely notice of appeal in the First District Court of Appeals on August 13, 2009. Hunter’s case is fully briefed in that Court and awaiting oral argument on February 29, 2012. Thus, a stay is needed to ensure that the issues raised in his postconviction petition are fully resolved. This Court has granted similar motions. See, e.g., *State v. Raglin*, 85 Ohio St. 3d 1429, 707 N.E.2d 945 (1999).

WHEREFORE, Lamont Hunter respectfully requests that this Honorable Court grant a stay of execution pending the exhaustion of available state remedies, and more specifically, his postconviction proceedings, in accordance with *Steffen*, 70 Ohio St. 3d 399, 639 N.E.2d 67.

Respectfully submitted,

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Counsel of Record

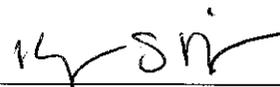
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**Certificate Of Service**

I hereby certify that a true copy of the foregoing **Motion For Stay Of Execution** was forwarded by regular U.S. mail to Ronald W. Springman, Assistant Prosecutor, Hamilton County, 230 E. Ninth Street, Suite 4000, Cincinnati, Ohio 45202 on the 22<sup>nd</sup> day of February, 2012.

By:   
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Counsel for Appellant