

ORIGINAL

IN THE SUPREME COURT OF OHIO

12-0346

STATE OF OHIO

CASE NO. 2012-

Plaintiff-Appellant,

On Appeal from the  
Montgomery County Court  
Of Appeals, Second  
Appellate District

vs.

BILLY L. COOK

Court of Appeals  
Case No: 24611

Defendant-Appellee.

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NOTICE OF APPEAL OF APPELLANT, THE STATE OF OHIO

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Prosecuting Attorney  
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**Rebecca Barthelemy-Smith** (COUNSEL OF RECORD)  
7821 North Dixie Drive  
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ATTORNEY FOR BILLY L. COOK

RECEIVED

FEB 28 2012

CLERK OF COURT  
SUPREME COURT OF OHIO

FILED

FEB 28 2012

CLERK OF COURT  
SUPREME COURT OF OHIO

**Notice of Appeal of Appellant, State of Ohio**

Appellant State of Ohio, through the Office of the Prosecuting Attorney for Montgomery County, hereby gives notice of appeal to the Supreme Court of Ohio, from the judgment of the Montgomery County Court of Appeals, Second Appellate District, entered in *State of Ohio v. Billy L. Cook*, Case No. 24611 on January, 20, 2012.

This felony case presents a question of public or great general interest and involves a substantial constitutional question.

Respectfully submitted,

MATHIAS H. HECK, JR.  
PROSECUTING ATTORNEY

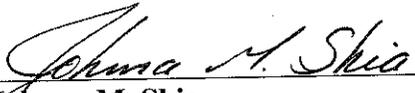
BY:

  
**Johanna M. Shia**  
Assistant Prosecuting Attorney

COUNSEL FOR APPELLANT,  
STATE OF OHIO

**Certificate of Service**

I certify that a copy of the foregoing Notice of Appeal was sent by ordinary U.S. mail to **Rebecca Barthelemy-Smith**, 7821 North Dixie Drive, Dayton, Ohio 45414 and Timothy Young, Ohio Public Defender Commission, 250 East Broad Street, Suite 1400, Columbus, Ohio 43215-2998, on February, 27, 2012.

  
**Johanna M. Shia**  
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STATE OF OHIO