

ORIGINAL

IN THE SUPREME COURT OF OHIO

ROLAND NICKLESON
APPELLANT PRO SE

: ON APPEAL FROM
THE WOOD COUNTY
: COURT OF APPEALS
SIXTH APPELLATE DISTRICT

V

:

STATE OF OHIO
APPELLEE

: COURT OF APPEALS
CASE NO.WD-11-039
: GEN-2011-1780

:

REQUEST THAT THIS COURT ACCEPT
THE APPELLANTS STATEMENT OF FACTS AND
ISSUES AS CORRECT AND REVERSE THIS
CASE AND GRANT APPELLANT THE
RELIEF HE SEEKS, VIA APPEAL TO
THIS COURT, PURSUANT TO S.CT. PRAC.R.6.7(B)

A memorandum supporting this Request is Attached hereto.

ROLAND NICKLESON
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APPELLANT, PRO SE

GWEN HOWE-GERBERS
WOOD COUNTY COMMON PLEAS COURT
ONE COURT HOUSE SQUARE
BOWLING GREEN, OHIO 43402

COUNSEL FOR APPELLEE, STATE OF OHIO

RECEIVED
FEB 16 2012
CLERK OF COURT
SUPREME COURT OF OHIO

RECEIVED
MAR 02 2012
CLERK OF COURT
SUPREME COURT OF OHIO

FILED
MAR 02 2012
CLERK OF COURT
SUPREME COURT OF OHIO

CERTIFICATE OF SERVICE

I certify that a copy of this Request was sent to Counsel for
ALAN MANBERRY / the State of Ohio, Gwen Howe-Gerbers at one Courthouse Square,
Bowling Green Ohio 43402 by Regular U.S. mail on this 11 day of
Feb. 2012.


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ROLAND NICKLESON
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: ON APPEAL FROM THE
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: OF APPEALS SIXTH
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MEMORANDUM IN SUPPORT OF REQUEST

Appellant, Roland Nickleson, filed a Notice of Appeal and Memorandum in Support of Jurisdiction on Oct.17, 2011.

This Notice and Memorandum was filed correctly and timely pursuant to S.Ct. Prac.R.2.2(A)(1) and (3)(b).

Pursuant to S.Ct. Prac.R.6.2.(A)(2), Appellant filed a Merit Brief on Dec.20,2011.

S.Ct. Prac.R.6.3.(2) clearly states that the State of Ohio- Appellee- shall file a merit Brief within thirty(30) days after the filing of Appellants brief.

Further, S.Ct. Prac.R.6.7.(B) states as follows:

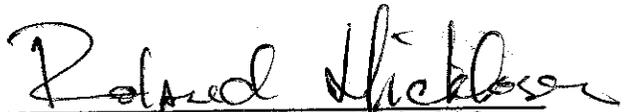
" If the Appellee fails to file a merit brief within the time provided by S.Ct. Prac.R.6.3. or as extended in accordance with S.Ct. Prac.14.3, the Supreme Court may accept the Appellant's statement of facts and issues as correct and Reverse the Judgment if Appellants brief reasonably appears to sustain Reversal."

At the time of the filing of this motion; Feb.11,2012, Appellant has not recieved a copy of the State of Ohio's merit brief, or been notified that a merit brief has been filed by the State of Ohio-Appellee.

Appellant insist that the issues raised on Appeal to this Court filed Dec.20,2011, have merit and warrant Reversal to the trial Court in order for corrections to be made according to the law.

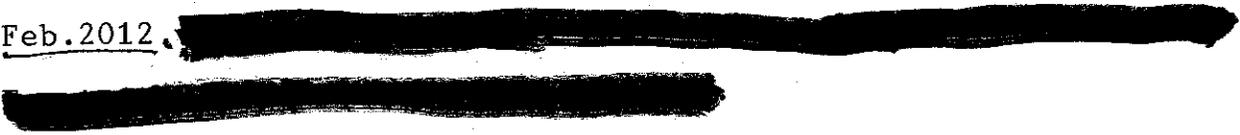
It is therefore Appellants Request that this Court Reverse this case for Appellee's failure to comply with S.Ct.R.6.7.(B).

It is Appellants prayer that this Court grant this Request and order the Reversal of this case.


ROLAND NICKLESON #516-813
PRO SE
-APPELLANT-

CERTIFICATE OF SERVICE

I certify that a copy of this Request was sent to Counsel for Alan Mayberry the State of Ohio, / Gwen Howe-Gerbers at One Courthouse Square, Bowling Green Ohio 43402 by Regular U.S. mail on this 11 day of Feb.2012.




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