

In The Supreme Court Of Ohio

State Of Ohio,

:

Appellee,

:

12-0405

-Vs-

:

Case No.: B9708745

Rayshawn Johnson,

:

Appellant.

:

**This Is A Capital Case.**

Rayshawn Johnson's Motion for Stay of Execution

**Execution Date: April 10, 2012**

Office of the  
Ohio Public Defender

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MAR 08 2012
CLERK OF COURT SUPREME COURT OF OHIO

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State Of Ohio, :  
Appellee, :  
-Vs- : Case No.: B9708745  
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Rayshawn Johnson's Motion for Stay of Execution

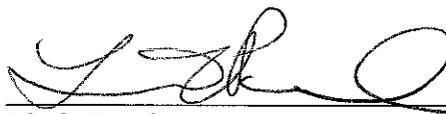
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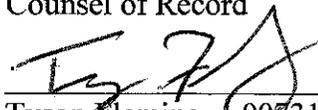
Now comes the appellant, Rayshawn Johnson, and moves this Court to stay his **execution set for April 10, 2012**, pending disposition of his direct appeal by this Court. The reasons for this motion are more fully set forth in the attached memorandum.

Respectfully submitted,

Office of the Ohio Public Defender



Linda Prucha – 0040689  
Assistant State Public Defender  
Counsel of Record



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Counsel For Appellant

## MEMORANDUM IN SUPPORT

Rayshawn Johnson was found guilty of Aggravated Murder and sentenced to death by the trial court. Johnson is currently sentenced to die on April 10, 2012. Johnson has a right to a direct appeal to the Ohio Supreme Court under Ohio Const. art. IV, § 2 (B)(2)(c). In McDonald v. Missouri, 464 U.S. 1306 (1984), the United States Supreme Court stated that every defendant who has a right of direct review from a sentence of death is entitled to have that review before paying the ultimate penalty. Accordingly, a stay is warranted to allow Johnson adequate time to seek direct review of his convictions and sentences. See State v. Steffen, 70 Ohio St. 3d 399, syl. (1994) (capital defendant entitled to stay of execution to seek both direct review and state post-conviction remedies).

Johnson's notice of appeal and praecipe is due in this Court on March 8, 2012. Johnson's direct appeal will not be completed before April 10, 2012. Johnson seeks this Stay of Execution to allow a thorough and considered review of his conviction and sentence.

Therefore, Johnson respectfully requests this Court to stay his execution, pending the final disposition of his appeal.

Respectfully submitted,

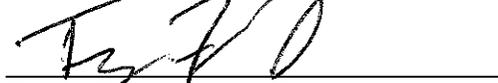
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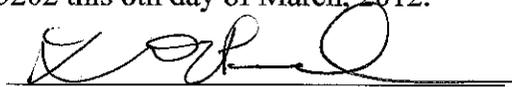
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Certificate Of Service

I hereby certify that a true copy of the foregoing Motion for Stay of Execution was forwarded by regular U.S. Mail to Joseph T. Deters, Hamilton County Prosecutor, 230 East Ninth Street, Suite 1400, Cincinnati, Ohio 45202 this 8th day of March, 2012.



Linda Prucha – 0040689  
Counsel For Appellant