

**IN THE SUPREME COURT OF OHIO**

<b>State ex rel. COREY J. WILLIAMS,</b>	:	<b>Case No. 2012-0085</b>
	:	
<b>Appellant,</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>LEANN WALKER-WILLIAMS,</b>	:	<b>Appeal from original action in the</b>
<b>Acting Warden, North Central</b>	:	<b>Third District Court of Appeals,</b>
<b>Correctional Complex,</b>	:	<b>Marion County</b>
	:	
<b>Appellee.</b>	:	<b>Habeas Corpus</b>

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**APPELLEE'S MERIT BRIEF**

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## STATEMENT OF FACTS

Appellant Williams is state prisoner #591-730 and is currently incarcerated at Grafton Correctional Institution, which is located in Lorain County. Appellee is the Warden at the North Central Correctional Complex (NCCC), which is located in Marion County.

In Erie County Common Pleas Court Case #2007-CR-422, Williams was convicted of one fifth-degree felony R.C. 2919.21 Nonsupport of Dependents charge and sentenced to 10 months in prison on September 1, 2010 and the sentence was journalized on September 2, 2010. (Appx. 2)

On July 17, 2009, an Erie County grand jury indicted Williams on two first-degree felony R.C. 2907.02(A)(1)(b) Rape charges, one fourth-degree felony R.C. 2907.31(A)(1) Disseminating Matter Harmful to Juveniles charge, two second-degree felony R.C. 2907.323(a)(1) Illegal Use of a Minor in Nudity-Oriented Material or Performance charges and one first-degree felony R.C. 2905.01(A)(4) Kidnapping charge. All charges specified that the victim was under 13 years of age. (Appx. 3)

The criminal offenses were prosecuted in Erie County Common Pleas Court Case #2009-CR-291. On August 2, 2010, Williams signed and executed a guilty plea form. The plea form conspicuously identified agreed lesser amended offenses and the felony-degrees of those offenses, as well as the potential maximum and mandatory penalties for each offense. Williams signed the plea form below the following statement:

Agreed Recommended Sentence Defendant agrees to serve a 2 year prison sentence. Defendant shall be classified as a Tier I offender. Defendant waives any defects in amendment of count 6. If defendant gets in trouble, is [illegible] deal of 2 yrs. is off.

The Court found that Williams was advised in open court of all of his constitutional rights and that Williams made a knowing, intelligent and voluntary waiver of those rights pursuant to Crim. R. 11. Williams pled guilty and the Court then found Williams guilty of the agreed lesser amended offenses, one fifth-degree felony R.C. 2923.02/R.C. 2907.05 Attempted Gross Sexual Imposition charge and one third-degree felony R.C. 2919.22(A) Endangering Children charge. (Appx. 4)

On September 2, 2010, consistent with the agreed sentence, the trial court sentenced Williams to 11 months in prison for the Attempted Gross Sexual Imposition conviction and 2 years in prison for the Endangering Children conviction. Both sentences were ordered to run concurrent, but consecutive to the 10-month prison sentence that was imposed in Erie County Common Pleas Court Case #2007-CR-442, resulting in a 2-year, 10-month aggregate prison sentence. Williams did not file a direct appeal or any post-conviction relief actions. (Appx. 5)

Williams was initially incarcerated for his sentences at the NCCC in Marion County, which is within the Third District Court of Appeals' territorial jurisdiction. R.C. 2501.01(C). On September 7, 2011, Williams filed a R.C. Chapter 2725 petition for a habeas corpus writ in the Third District Court of Appeals and initiated Case #9-11-56. Williams' petition named Acting NCCC Warden Leann Walker-Williams as the respondent and alleged that he was unlawfully imprisoned because the agreed, amended lesser charges were not indicted by a grand jury, the agreed amendments changed the identity of the charges and that the parties could not agree to alter the law in a plea agreement. (Appx. 6)

In September 2011, Williams requested a transfer to Grafton Correctional Institution due to visitation hardship. (Appx. 7)

On January 5, 2012, the Third District Court of Appeals issued a judgment entry that dismissed Williams' habeas petition. The appellate court found in pertinent part:

[t]he petition fails to state any claim for relief in habeas corpus. See *Ellis v. McMackin* (1992), 65 Ohio St.3d 161; *Chapman v. Jago* (1976), 48 Ohio St.2d 51; *Burch v. Morris* (1986), 25 Ohio St.3d 18. Alleged errors in sentencing are not cognizable in a habeas corpus proceeding. *Dean v. Maxwell* (1963), 174 Ohio St. 193. Moreover, habeas corpus is not the proper remedy to challenge either the validity or the sufficiency of an indictment. *Luna v. Russell* (1994), 70 Ohio St.3d 561, see, also, *Wooten v. Brunsman* (2006), 112 Ohio St.3d 153; *Bozsik v. Hudson* (2006), 110 Ohio St.3d 245; and *Turner v. Ishee* (2003), 98 Ohio St.3d 411. [secondary citations omitted] Habeas corpus is an extraordinary writ, not a substitute for direct appeal or post-conviction relief. *Walker v. Maxwell* (1965), 1 Ohio St.2d 136.

Petitioner agreed to an amendment of the charges as part of his negotiated plea of guilty. Petitioner is clearly restrained by virtue of a judgment of a court of record that had jurisdiction to issue the judgment, and a writ of habeas corpus will not issue. R.C. 2725.05.

(Appx. 1)

On March 8, 2012, Williams filed a timely notice of appeal in this Court and claimed an appeal of right under S.Ct.Prac.R. 2.2(A)(1). The error assignments in Williams' merit brief are:

- I. The Court of Appeals erred resulting in prejudice to the Appellant where the Court granted Appellee (*sic*) motion to dismiss for failure to state a claim up on which relief can be granted.
- II. Did the Court of Appeals erred (*sic*) in dismissing the Appellant's Habeas Corpus Petition by overruling *Flynt v. Dinkelacker* (2004), 156 Ohio App.3d 595, ¶26 (parties cannot agree to alter the law).

On March 26, 2012, as he requested, Williams was transferred to the Grafton Correctional Institution in Lorain County, Ohio, which is outside the Third District Court of Appeals' territorial jurisdiction. R.C. 2501.01(C) and R.C. 2501.01(I). (Appx. 7)

### **ARGUMENT**

Appellee North Central Correctional Complex Warden (NCCC Warden) moves the Court to affirm the January 5, 2012 Third District Court of Appeals decision that dismissed Appellant Williams' (Williams) original action and habeas petition. The Third District Court of Appeals denied and dismissed Williams' habeas corpus petition because R.C. Chapter 2725 habeas actions are not the proper remedy to challenge alleged sentencing errors or the sufficiency of an indictment. (Appx. 1) Not only was the appellate court's decision and reasoning correct, Williams' habeas petition and appeal are now moot because Williams is not currently in the NCCC Warden's custody or within the Third District Appellate Court's jurisdiction. Furthermore, Williams' did not comply with mandatory procedural filing rules, so his habeas action was not properly instituted and is subject to dismissal on that ground alone.

#### **Proposition of Law No. I:**

**Williams' appeal is moot because Williams is not in Appellee's custody and the Third District Court of Appeals lacks jurisdiction to grant relief.**

State habeas corpus relief is a special statutory remedy and technical flaws and failure to comply with statutory filing requirements are sufficient grounds to dismiss a habeas corpus petition. R.C. 2725.03 states in pertinent part:

If a person restrained of his liberty is an inmate of a state \*\*\* correctional institution, the location of which is fixed by statute and at the time is in custody of the officers of the institution, no court or judge other than the courts or judges of the county in which the institution is located has jurisdiction to issue or determine a writ of habeas corpus for his production or discharge. Any writ issued by a

court or judge of another county to an officer or person in charge at the institution to compel the production or discharge of an inmate thereof is void.

This Court has previously found R.C. 2725.03 constitutional in *Bridges v. McMackin* (1989), 44 Ohio St.3d 135 and has conclusively ruled that a habeas petition must be filed in the county where an inmate is incarcerated, otherwise the habeas petition is not properly filed and the county court lacks jurisdiction to substantively review the inmate's claims. *Brown v. Hall* (2009), 123 Ohio St. 3d 381; *Goudlock v. Voorhies* (2008), 119 Ohio St. 3d 398. Additionally, under R.C. 2725.04(B), only the officer or person confining or restraining the prisoner is a proper respondent in a habeas action.

Although Appellant Williams was previously incarcerated in the NCCC and was previously under the NCCC Warden's control, Williams requested a transfer due to a claimed visitation hardship and Williams was transferred to Grafton Correctional Institution in Lorain County on March 26, 2012. (Appx. 7) Grafton Correctional Institution is under Warden Kimberly Clipper's control and Lorain County is subject to the Ninth District Court of Appeals' territorial jurisdiction. R.C. 2501.01(I). After Williams' custodial transfer, the NCCC Warden was no longer a proper respondent under R.C. 2725.04(B), the Third District Court of Appeals lost jurisdiction over Williams' petition pursuant to R.C. 2725.03 and the habeas action became moot.

Since the Third District Court of Appeals lacks jurisdiction to grant Williams' relief and the NCCC Warden is not a proper respondent in this case, undoubtedly, Williams cannot prove any set of facts that would entitle him to relief in this action. Consequently, the appellate court's decision to dismiss Williams' petition under Civ. R. 12(b)(6) should be affirmed.

**Proposition of Law No. II:**

**Williams is not entitled to habeas relief because he is imprisoned due to a valid sentencing order issued by a court of competent jurisdiction.**

Habeas relief is only available when a petitioner is entitled to immediate release from confinement. *State ex rel. Jackson v. McFaul* (1995), 73 Ohio St.3d 185; R. C. 2725.01; R. C. 2725.17. An inmate is not entitled to release after serving his minimum sentence, but an inmate may petition for a writ of habeas corpus if his maximum sentence has expired and that individual is being held unlawfully. *Heddleston v. Mack* (1998), 84 Ohio St. 3d 213; *Morgan v. Ohio Adult Parole Auth.* (1994), 68 Ohio St. 3d 344; *Hoff v. Wilson* (1986), 27 Ohio St.3d 22. The burden of proof is on the petitioner to show that he is illegally detained and entitled to immediate release. *Halleck v. Koloski* (1965), 4 Ohio St. 2d 76.

Petitioner Williams has not demonstrated that he is entitled to immediate release. As previously stated, Williams is currently incarcerated due to his September 2, 2010 Nonsupport of Dependents conviction and sentence rendered in Erie County Common Pleas Court Case No. 2007-CR-422 and his September 1, 2010 Attempted Gross Sexual Imposition and Endangering Children convictions and sentences rendered in Erie County Common Pleas Court Case No. 2009-CR-291. Williams' aggregate prison sentence in his cases is 2 years and 10 months and his prison sentence does not expire until May 21, 2023. (Appx. 2)(Appx. 5)

The sentencing court, the Erie County Common Pleas Court, had jurisdiction over Williams' criminal cases pursuant to R. C. 2931.03, which gives the common pleas courts jurisdiction over criminal offenses that occur in their respective counties. Since Williams' sentences were rendered by a competent court with valid jurisdiction and his maximum sentence has not expired, Williams is not being unlawfully restrained, Williams is not entitled to a writ of

habeas corpus and the Third District Court of Appeals was justified in dismissing Williams' habeas petition.

**Proposition of Law No. III:**

**Williams is not entitled to relief because his claims are not cognizable in a habeas corpus action since there are adequate remedies at law to raise the same claims and the claims are barred by res judicata.**

Habeas corpus is an extraordinary remedy and normally is appropriate only when no alternative legal remedy exists. *State ex rel. Jackson v. McFaul* (1995), 73 Ohio St.3d 185; *Halleck v. Koloski* (1965), 4 Ohio St.2d 76. Normally, in the context of criminal convictions, habeas corpus can be used only to challenge the jurisdiction of the sentencing court. *Wireman v. Ohio Adult Parole Authority* (1988), 38 Ohio St.3d 322. Habeas relief is not available as long as a petitioner has been convicted of a criminal offense and sentenced to imprisonment by a court of competent jurisdiction. To avoid a dismissal under R.C. 2725.06, a petitioner must state with particularity why the sentencing court lacked jurisdiction to enter the judgment. *Hammond v. Dallman* (1992), 63 Ohio St.3d 666.

Habeas corpus may not be used as a substitute for other forms of action, such as direct appeal, post-conviction relief, or mandamus. *Cornell v. Schotten* (1994), 69 Ohio St.3d 466; *Adams v. Humphreys* (1986), 27 Ohio St.3d 43. The existence of an alternative remedy is enough to remove a petitioner's allegations from habeas consideration, regardless of whether the remedy is still available, as long as the petitioner could have previously taken advantage of it. *Luna v. Russell* (1994), 70 Ohio St.3d 561; *State v. Perry* (1967), 10 Ohio St.2d 175; *Davie v. Edwards* (1997), 80 Ohio St.3d 170. Any claim which was either raised, or which could have

been raised, at trial or in a direct appeal cannot be litigated in collateral proceedings based on res judicata principles. *Perry; State v. Szefcyk*, 77 Ohio St.3d 93.

This Court has long recognized that criminal defendants in Ohio are afforded adequate appellate and post-conviction remedies to challenge alleged errors pertaining to their criminal convictions. As stated in *Walker v. Maxwell* (1965), 1 Ohio St.2d 136:

The General Assembly has provided an adequate post-conviction remedy by appeal for the review of alleged errors in the conviction of an accused, and, once a conviction is had, prior irregularities merge into the judgment and must be raised by appeal. The validity of such judgment cannot be questioned by collateral attack. *State v. Wozniak* (1961), 172 Ohio St. 517; *Perry v. Maxwell, Warden* (1963), 175 Ohio St. 369. This remedy is available to all persons as a matter or right within 30 days after conviction and by motion for leave to appeal at any time. Where an accused has failed to pursue his appeal within the statutory period for appeals as a matter or right, he had available to him the motion for leave to appeal. This is not an empty right. If the accused can show reasonable grounds for his delay in pursuing his appeal as a matter of right within the statutory period or if the failure to grant such appeal would result in a clear miscarriage of justice, to deny such motion would constitute an abuse of discretion.

In addition to these direct and discretionary appellate rights, R.C. 2953.21 allows convicted defendants to file post-conviction relief petitions to assert claims for denials of infringements on rights that render judgments void or voidable under the state and federal constitutions. Most errors that occur in criminal proceedings can be challenged on direct appeal, including claimed indictment, plea and sentencing errors.

This Court has repeatedly held that habeas corpus is not the proper post-conviction remedy for the review of errors or irregularities in criminal proceedings. Indictment defects are not jurisdictional in nature and claims alleging indictment irregularities are not cognizable in habeas corpus. *Haynes v. Voorhies* (2006), 110 Ohio St.3d 243; *State ex rel. Raglin v. Brigano* (1998), 82 Ohio St.3d 410. Indictment challenges must be presented by appeal. *State v. Wozniak* (1961), 172 Ohio St. 517. Plea irregularities are not jurisdictional or cognizable in

habeas actions either and such claims should be resolved by a motion to withdraw guilty plea, appeal or other post-conviction proceedings. *Pollock v. Morris* (1988), 35 Ohio St.3d 117; *Douglas v. Money* (1999), 85 Ohio St.3d 348. Likewise, sentencing errors are not jurisdictional or cognizable in habeas actions and need to be raised on direct appeal or in post-conviction relief proceedings. *Majoros v. Collins* (1992), 64 Ohio St.3d 442; *Blackburn v. Jago* (1988), 39 Ohio St.3d 139. The proper forum to raise and review sentencing errors is a direct appeal or post-conviction relief action. *State ex rel. Massie v. Rogers* (1997), 77 Ohio St.3d 449.

In the present case, Williams cannot prove any set of facts that would entitle him to an extraordinary writ of habeas corpus and immediate release from confinement. Williams' claims are not cognizable in an R.C. Chapter 2725 habeas corpus action because he is alleging defects in the indictment process and challenging the propriety of his guilty plea. Williams' claims do not affect the sentencing court's jurisdiction and the proper forum for Williams to challenge the amended charges and his guilty pleas was by appeal or a post-conviction motion. Consequently, res judicata prevented the appellate court from substantively reviewing Williams' claims and the appellate court's decision to dismiss Williams' habeas petition under Civ. R. 12(b)(6) is correct and should be affirmed.

**Proposition of Law No. IV:**

**Williams' habeas petition is subject to dismissal because he did not attach all his pertinent commitment papers.**

Pursuant to R.C. 2725.04(D), "a copy of the commitment or cause of detention of such person shall be exhibited, if it can be procured without impairing the efficiency of the remedy; or, if the imprisonment or detention is without legal authority, such fact must appear" in all applications for habeas corpus writs.

Failure to attach commitment papers to a habeas corpus petition is fatally defective and requires dismissal. *Boyd v. Money* (1998), 82 Ohio St.3d 388. Commitment papers are necessary for a complete understanding of the petition and if there is no showing of how the commitment was procured, there is nothing before the court on which to make a determined judgment. *Boyd*, at 389, citing *Bloss v. Rogers* (1992), 65 Ohio St.3d 145. Failure to include the commitment papers in a habeas corpus petition is not cured by a petitioner or respondent's later submission in subsequent filings. *Boyd*, at 389, citing *Cornell v. Schotten* (1994), 69 Ohio St.3d 466.

In this case Williams' attached the judgment entry of conviction from Erie County Common Pleas Court Case #2009-CR-291 regarding his Attempted Gross Sexual Imposition and Child Endangering convictions and sentences, however Williams failed to attach his judgment entry of conviction from Erie County Common Pleas Court Case #2007-CR-422 regarding Nonsupport of Dependents conviction and sentence. (Appx. 6) Since Williams is currently incarcerated under that sentence and he is seeking immediate release from prison, those commitment papers are relevant to his habeas petition, especially given the consecutive nature of his sentences. Williams' concealment did not give the appellate court an accurate depiction of facts and interfered with the court's ability to make a complete determination. Since Williams' failed to attach all his commitment papers to his original habeas petition, the petition must be dismissed pursuant to R. C. 2725.04(D) and the Third District Court Appeals did not err in dismissing the petition pursuant to Civ. R. 12(b)(6).

## CONCLUSION

The Third District Court of Appeals' January 5, 2012 decision to dismiss Williams' habeas petition pursuant to Civ. R. 12(b)(6) should be affirmed. The appellate court was correct in determining that Williams failed to state a claim upon which relief could be granted.

Although not at issue when the appellate decision was issued, Williams' habeas petition must be dismissed as moot. Williams is not in the NCCC Warden's custody, the NCCC Warden is not a proper respondent and the Third District Court of Appeals lacks jurisdiction to grant the requested relief.

Williams is not entitled to immediate release from prison because he was sentenced pursuant to valid sentencing orders issued by a court of competent jurisdiction and his maximum sentence does not expire until May 21, 2013. The substantive allegations in Williams' petition are not cognizable in a habeas action and res judicata bars habeas relief because the claims could have been challenged in an appeal or post-conviction relief motion. Additionally, Williams did not properly initiate his habeas action because he did not attach all his pertinent commitment papers and the petition could have been dismissed solely on procedural grounds.

Williams' habeas petition does not establish a claim upon which relief can be granted and Respondent is entitled to judgment as a matter of law.

The Third District Court of Appeals' January 5, 2012 decision to dismiss Williams' habeas petition pursuant to Civ. R. 12(b)(6) should be affirmed.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

On April 3, 2012, a true copy of Appellee's Merit Brief was sent via regular U.S. mail, postage pre-paid to Corey J. Williams #591-730, Grafton Correctional Institution, 2500 South Avon Beldon Road, Grafton, Ohio 44044.



MAURA O'NEILL JAITE  
Senior Assistant Attorney General

# **APPENDIX**

**IN THE COURT OF APPEALS OF OHIO  
THIRD APPELLATE DISTRICT  
MARION COUNTY**

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**STATE OF OHIO EX REL.,  
COREY J. WILLIAMS,**

FILED  
COURT OF APPEALS

**CASE NO. 9-11-56**

**PETITIONER,**

JAN 05 2012

MARION COUNTY, OHIO  
JULIE M. KAGEL, CLERK

v.

**LEANN WALKER-WILLIAMS,  
ACTING WARDEN, NORTH CENTRAL  
CORRECTIONAL INSTITUTION,**

**J U D G M E N T  
E N T R Y**

**RESPONDENT.**

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This cause comes before the Court for determination of the petition for writ of habeas corpus and Respondent's Motion to Dismiss.

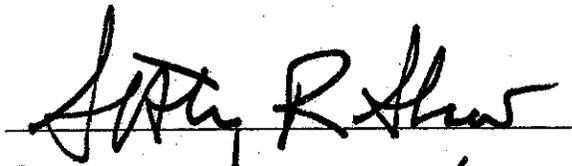
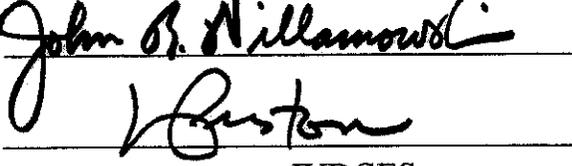
Petitioner asserts that he is unlawfully detained by Respondent and entitled to immediate release from confinement because the trial court lacked jurisdiction to enter a judgment of conviction on charges that do not appear in the indictment. The judgment of conviction and sentence reflects that Petitioner entered negotiated pleas of guilty to two amended charges in exchange for the prosecution dismissing numerous other charges. The plea agreement reflects that Petitioner agreed to the amendments, sentence, and sexual offender classification.

Upon consideration of same, the Court finds that the petition fails to state any claim for relief in habeas corpus. See *Ellis v. McMackin* (1992), 65 Ohio St.3d 161; *Chapman v. Jago* (1976), 48 Ohio St.2d 51; *Burch v. Morris* (1986), 25

Ohio St.3d 18. Alleged errors in sentencing are not cognizable in a habeas corpus proceeding. *Dean v. Maxwell* (1963), 174 Ohio St. 193. Moreover, habeas corpus is not the proper remedy to challenge either the validity or the sufficiency of an indictment. *Luna v. Russell* (1994), 70 Ohio St.3d 561; see, also, *Wooten v. Brunsman*, 112 Ohio St.3d 153, 2006-Ohio-6524; *Bozsik v. Hudson*, 110 Ohio St.3d 245, 2006-Ohio-4356; and *Turner v. Ishee*, 98 Ohio St.3d 411, 2003-Ohio-1671. Habeas corpus is an extraordinary writ, not a substitute for direct appeal or post conviction relief. *Walker v. Maxwell* (1965), 1 Ohio St.2d 136.

Petitioner agreed to an amendment of the charges as part of his negotiated plea of guilty. Petitioner is clearly restrained by virtue of a judgment of a court of record that had jurisdiction to issue the judgment, and a writ of habeas corpus will not issue. R.C. 2725.05.

It is therefore **ORDERED, ADJUDGED and DECREED** that the petition for writ of habeas corpus be, and hereby is, dismissed at the costs of Petitioner for which judgment is hereby rendered.

  
\_\_\_\_\_  
  
\_\_\_\_\_  
JUDGES

DATED: JANUARY 4, 2012  
/hlo

*3  
prev  
R. Garand  
wa 9/2/10*

IN THE COMMON PLEAS COURT OF ERIE COUNTY, OHIO

State of Ohio : Case No. 2007-CR-422

-vs- : Judge Tygh M. Tone

Corey J. Williams : JUDGMENT ENTRY

Defendant :

: :

: :

: :

: :

FILED  
ERIE COUNTY, OHIO  
2010 SEP -2 PM 1:17  
BARBARA J. JOHNSON  
CLERK OF COURTS

---000---

On the 1st day of September, 2010, came the Assistant Prosecuting Attorney on behalf of the State of Ohio and also came the defendant in person and represented by counsel, Richard Garand; the defendant was brought before the Court to show cause why his community sanctions should not be terminated and sentence imposed and the Court inquired as to defendant's compliance with the terms and conditions of his community sanctions.

The defendant admitted in open court to the violations contained in the probable cause letter dated August 7, 2010 and waived his right to a community sanctions violation hearing. The Court finds that the defendant has violated the terms and conditions of his community sanctions. The Court further finds that the defendant's community sanctions are hereby revoked.

*5626/940  
9/7/10*

SCANNED

A-2

IT IS THEREFORE ORDERED that the defendant, Corey J. Williams, is terminated from community sanctions. Defendant was advised at the time of this hearing of his right to appeal within thirty (30) days of the sentence.

IT IS FURTHER ORDERED by this Court that the defendant was heretofore found "guilty" as to Count No. 1, for the offense of NON SUPPORT OF DEPENDENTS, a fifth degree felony in violation of §2919.21(B) of the Ohio Revised Code, and shall be sentenced to the Department of Rehabilitation and Correction and conveyed to the Lorain Correctional Institution at Grafton, Ohio to be imprisoned and confined for a definite sentence for the term of ten (10) months; defendant was heretofore found guilty as to Count No. 2, for the offense of NON SUPPORT OF DEPENDENTS, a fifth degree felony in violation of §2919.21(B) of the Ohio Revised Code, and shall be sentenced to the Department of Rehabilitation and Correction and conveyed to the Lorain Correctional Institution at Grafton, Ohio to be imprisoned and confined for a definite sentence for the term of ten (10) months; said sentences shall run concurrent.

After prison release, if post-release control is imposed, for violating post-release control conditions, the Adult Parole Authority or Parole Board may impose a more restrictive or longer control sanction, return defendant to prison for up to nine months for each violation, up to a maximum of 50% of the stated terms. If

the violation is a new felony, defendant may receive a new prison term of the greater of one year or the time remaining on post-release control.

Defendant shall receive 27 days credit for time served as of September 1, 2010; and defendant shall pay the costs of this prosecution for which execution is awarded and the recognizance heretofore given is hereby canceled and sureties thereon are discharged.

IT IS FURTHER ORDERED that upon serving his sentence, defendant may be supervised after leaving prison for a period up to 3 years of post release control on Counts 1 and 2 to run concurrent.

IT IS FURTHER ORDERED that the transfer of defendant into Transitional Control Program(s): X will be Denied by this Court/\_\_\_\_\_ will not be Denied by this Court.

IT IS FURTHER ORDERED that the defendant \_\_\_\_\_ shall be/X shall not be recommended for placement into the intensive program prison [IPP].

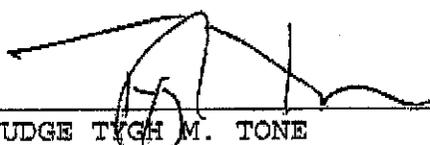
IT IS FURTHER ORDERED that the institution shall credit defendant for time served from the date of sentencing until reception at said facility.

IT IS FURTHER ORDERED that the Erie County Sheriff's Office shall transport defendant to the appropriate institution for service of prison sentence.

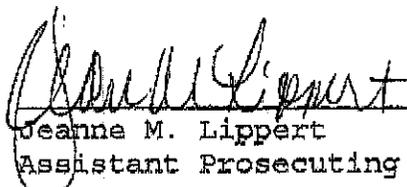
IT IS FURTHER ORDERED that the Erie County Sheriff's Office shall withdraw any warrants which may have been placed in LEADS and/or NCIC.

IT IS FURTHER ORDERED that the defendant shall submit to the collection of DNA specimen as required by law.

IT IS FURTHER ORDERED that the Erie County Clerk of Courts shall enter, without delay, this Judgment Entry on its journal pursuant to Crim.R. 32(C).

  
\_\_\_\_\_  
JUDGE TYGH M. TONE

Approved:

  
\_\_\_\_\_  
Jeanne M. Lippert  
Assistant Prosecuting Attorney

cc: Adult Probation Department

INDICTMENT  
Crim. Rule 6,7

FILED  
COMMON PLEAS COURT  
ERIE COUNTY, OHIO  
2009 JUL 17 PM 12:47  
BARBARA J. JOHNSON  
CLERK OF COURTS

THE STATE OF OHIO

COURT OF COMMON PLEAS

Erie County, ss.

Of the Term January/July Session in the year TWO THOUSAND AND NINE

THE JURORS OF THE GRAND JURY of the State of Ohio, within and for the body of the County aforesaid, on their oaths, in the name and by the authority of the State of Ohio, do find and present that on or about the 16th day of June, 2004, at Erie County, Ohio Cory J. Williams

did engage in sexual conduct with CG (DOB 11/24/93), not the spouse of the said Cory J. Williams, the said CG being less than thirteen (13) years of age, in violation of O.R.C. §2907.02(A)(1)(b) and against the peace and dignity of the State of Ohio. (F-1) (RAPE)

COUNT TWO

That on or about the 16th day of June, 2004, at Erie County, Ohio, Cory J. Williams did engage in sexual conduct with CG (DOB 11/24/93), not the spouse of the said Cory J. Williams, the said CG being less than thirteen (13) years of age, in violation of O.R.C. §2907.02(A)(1)(b) and against the peace and dignity of the State of Ohio. (F-1) (RAPE)

COUNT THREE

That on or about the 16th day of June, 2004, at Erie County, Ohio, Cory J. Williams did, with knowledge of its character or content, recklessly directly sell, deliver, furnish, disseminate, provide, exhibit, rent, or present to CG, a juvenile, any material or performance that was obscene or harmful to juveniles, in violation of O.R.C. §2907.31(A)(1) and against the peace and dignity of the State of Ohio. (F-5) (DISSEMINATING MATTER HARMFUL TO JUVENILES)

COUNT FOUR

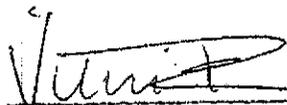
That on or about the 16th day of June, 2004, at Erie County, Ohio, Cory J. Williams did photograph a minor who is not the said Cory J. Williams' child or ward in a state of nudity, or create, direct, produce, or transfer any material or performance that shows the minor in a state of nudity, in violation of O.R.C. §2907.323(A)(1) and against the peace and dignity of the State of Ohio. (F-2)  
(ILLEGAL USE OF A MINOR IN A NUDITY-ORIENTED MATERIAL OR PERFORMANCE)

COUNT FIVE

That on or about the 16th day of June, 2004, at Erie County, Ohio, Cory J. Williams did photograph a minor who is not the said Cory J. Williams' child or ward in a state of nudity, or create, direct, produce, or transfer any material or performance that shows the minor in a state of nudity, in violation of O.R.C. §2907.323(A)(1) and against the peace and dignity of the State of Ohio. (F-2)  
(ILLEGAL USE OF A MINOR IN A NUDITY-ORIENTED MATERIAL OR PERFORMANCE)

COUNT SIX

That on or about the 16th day of June, 2004, at Erie County, Ohio, Cory J. Williams did by force, threat or deception, remove CG from the place where she was found, or restrain the liberty of CG with purpose to engage in sexual activity as defined in O.R.C. §2901.01, with CG against her will, in violation of O.R.C. §2905.01(A)(4) and against the peace and dignity of the State of Ohio. (F-1)  
(KIDNAPPING)

  
Prosecuting Attorney



IN THE COMMON PLEAS COURT OF ERIE COUNTY, OHIO

State of Ohio

Case No. 20 09-CR-291

2010 AUG -2 PM 12:37  
KARLEENA J. JAMES  
CLERK OF COURTS

JUDGMENT ENTRY OF PLEA

-vs-

Coey J. Williams  
Defendant

DOB

Felony Offenses

DATE: August 2, 2010

Prosecutor: J. Lippert

Defendant was present and advised of Criminal Rule 11 Rights. Defense Counsel: Rick Edward

Defendant entered a: Guilty Plea  Diversion Plea  Intervention In Lieu Conviction Plea

COUNT	ORC#	CHARGE/OFFENSE	PLEA		VERDICT/FINDINGS	
			Guilty	Dismiss	Guilty	Not Guilty
1	<u>2907.05</u> <u>2923.02</u>	<u>Attempted Sex Sexual Imposition</u> LESSER/AMENDED	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Guilty	F.S
2	<u>2907.02(A)(1)(b)</u>	<u>Rape</u> LESSER/AMENDED	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Guilty	
3	<u>2907.31(A)(1)</u>	<u>Disseminating Matter Harmful to Juveniles</u> LESSER/AMENDED	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Guilty	
4	<u>2907.323(A)(1)</u>	<u>Illegal Use of a Minor in a Publicly-Exhibited Material or Performance</u> LESSER/AMENDED	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Guilty	

SPECIFICATION(S):  Guilty  Dismissed  Other

PENALTIES:

DEGREE	PRISON SENTENCE	COUNTS	FINES	DRUG MANDATORY FINES
Felony 1:	3,4,5,6,7,8,9, or 10 years	Count(s) _____	\$20,000.00	\$10,000.00 - \$20,000.00
Felony 2:	2,3,4,5,6,7, or 8 years	Count(s) _____	\$15,000.00	\$7,500.00 - \$15,000.00
Felony 3:	2,3,4, or 5 years	Count(s) <u>6</u>	\$10,000.00	\$5,000.00 - \$10,000.00
Felony 4:	5,7,8,9,10,11,12,13,14,15,16,17, or 18 months	Count(s) _____	\$5,000.00	
Felony 5:	6,7,8,9,10,11, or 12 months	Count(s) <u>1</u>	\$2,500.00	
Misdemeanor 1:	Up to 6 months in Jail			

Restitution to the victim(s), Fines \$12,500 and other financial costs may be imposed. Further, a Supervision Fee up to \$50.00 per month may be imposed if I am granted Community Control Sanctions.

MANDATORY Prison Counts	No <input checked="" type="checkbox"/> Yes _____	CT(s) # _____
PRESUMPTION Prison Counts	No <input checked="" type="checkbox"/> Yes _____	CT(s) # _____
MANDATORY License Suspension	No <input type="checkbox"/> Yes _____	CT(s) # _____ Length _____
MANDATORY Fines	No <input checked="" type="checkbox"/> Yes _____	CT(s) # _____
REPEAT Offender	No <input type="checkbox"/> Yes _____	CT(s) # _____

I know the Maximum  PRISON sentence \_\_\_\_\_ JAIL sentence is 6 years 0 months - of which at least \_\_\_\_\_ is mandatory. Mandatory sentence means during the Mandatory Sentence I am NOT eligible for community sanctions, judicial release or any other form of early release.

I know any prison sentence I receive will be the sentence I have to serve without any good time credit.

After prison release, I  may  shall have up to 3 years of Post Release Control.

Further, the Parole Board could return me to prison for up to nine months for each violation of those conditions, for a total of 50% of my stated term. However, if the violation is a new felony, I could receive the greater of one (1) year or my time remaining on Post Release Control.

A-4

1624/215  
08-03-10

COUNT	ORCH#	CHARGE/OFFENSE	PLEA	VERDICT/FINDINGS
5	2907.323(A)(1)	Illegal Use of Minor in a public or extra-curricular performance LESSER AMENDED	No Contest Guilty <u>Dismiss</u>	Guilty Not Guilty DEGREE
6	22 TMI 2919.24(A)	Endangering Children LESSER AMENDED	No Contest <u>Guilty</u> Dismiss	<u>Guilty</u> Not Guilty DEGREE <u>F-3</u>
8			No Contest Guilty Dismiss	Guilty Not Guilty DEGREE
9			No Contest Guilty Dismiss	Guilty Not Guilty DEGREE
10			No Contest Guilty Dismiss	Guilty Not Guilty DEGREE
11			No Contest Guilty Dismiss	Guilty Not Guilty DEGREE
12			No Contest Guilty Dismiss	Guilty Not Guilty DEGREE
13			No Contest Guilty Dismiss	Guilty Not Guilty DEGREE
14			No Contest Guilty Dismiss	Guilty Not Guilty DEGREE
15			No Contest Guilty Dismiss	Guilty Not Guilty DEGREE
16			No Contest Guilty Dismiss	Guilty Not Guilty DEGREE
17			No Contest Guilty Dismiss	Guilty Not Guilty DEGREE
18			No Contest Guilty Dismiss	Guilty Not Guilty DEGREE
19			No Contest Guilty Dismiss	Guilty Not Guilty DEGREE
20			No Contest Guilty Dismiss	Guilty Not Guilty DEGREE

If I am now on Felony Probation, Community Control Sanctions, Parole, Post Release Control or Future Good Behavior, or am accountable to any Court or agency, this plea may result in revocation proceedings and any new sentence could be imposed consecutively.

- I have been advised of my right to appeal, the document(s) I must file, and the timing of the filing.
- I have a right to be sentenced by the Judge who accepted my plea in this case, I am waiving that right.
- I have been advised that a felony conviction has consequences in regards to Federal laws and firearms.
- I have been advised that a felony conviction may have consequences in regards to my citizenship.

Referred For P.S.I.  
Community Sanctions

Non-Community Sanctions

- Refer for Evaluation.
- 2950. Sex Classification
- 2947. Psych Recommended
- 2951. Chemical Dependency

Waived P.S.I. - Agreed Recommended Sentence Defendant agrees to serve a 2 year prison sentence. Defendant shall be classified as a Tier 1 offender. Defendant waives any defects in a plea made by court. If defendant gets in trouble, is also known, deal of 2 yrs. is off.

Agreed Forfeiture of Property - property seized from Defendant at the time of arrest, and/or execution of search, in relation to this case \_\_\_\_\_ yes  no \_\_\_\_\_ (Other)

I am required to REPORT IMMEDIATELY IN PERSON, after this Plea Hearing, to the Erie County Adult Probation Department, at 503 W. Washington St., Sandusky, Ohio. Failure to report may result in my BOND being REVOKED and I can be taken into custody.

8/2/10  
Date

X Corey J. Williams  
DEFENDANT

\*\*\*\*\*  
Guilty FINDING

The Court hereby FINDS that this day Defendant, in open court, was advised of all Constitutional Rights and made a KNOWING, INTELLIGENT, and VOLUNTARY waiver of those rights pursuant to Crim. R. 11. The Plea is accepted and is Ordered filed. The Court FINDS defendant GUILTY of each offense to which defendant has entered this plea.

\*\*\*\*\*  
Diversion / Intervention in Lieu of Conviction FINDING

The Court hereby FINDS that this day Defendant, in open court, was advised of all Constitutional Rights and made a KNOWING, INTELLIGENT, and VOLUNTARY waiver of those rights pursuant to Crim. R. 11. The Plea is accepted and is Ordered filed. The Court shall hold its FINDINGS in abeyance, and hereby STAYS all further criminal proceedings, and "tolls" any applicable statutory time periods, during the pendency of Defendant's

\_\_\_\_\_ DIVERSION PROGRAM

\_\_\_\_\_ INTERVENTION IN LIEU OF CONVICTION.

Defendant's next Hearing for  Sentencing \_\_\_\_\_ Restitution \_\_\_\_\_ Conditions \_\_\_\_\_ Other(\_\_\_\_\_) is scheduled for August 26 2010 at 9:00 a.m.

Bond Continued \_\_\_\_\_ Defendant Remanded Erie Co. Jail \_\_\_\_\_ New Bond Separate Judgment Entry

[Signature]  
PROSECUTING ATTORNEY

[Signature]  
JUDGE

[Signature]  
DEFENSE ATTORNEY

vs.  
Prob  
Proc  
R. Garand  
was 9/2/10

IN THE COMMON PLEAS COURT OF ERIE COUNTY, OHIO

State of Ohio : Case No. 2009-CR-291  
-vs- : Judge Tygh M. Tone  
Corey J. Williams : JUDGMENT ENTRY  
Defendant :

2010 SEP -2 PM 1:18  
BANGS, J. JOHNSON  
CLERK OF COURTS

---oOo---

On the 1st day of September, 2010, defendant's sentencing hearing was held pursuant to Ohio Revised Code §2929.19; present were the Assistant Prosecutor on behalf of the State of Ohio, the defendant in person and represented by counsel, Richard Garand; and defendant was afforded all his rights pursuant to Crim.R. 32.

In so far as defendant was found guilty of attempted gross sexual imposition in violation of O.R.C. §2907.05(A)(1) and §2923.02(A) as to Count 1 and pursuant to O.R.C. §2950 et.seq., this Court finds that defendant is a Tier I sexual offender. The parties stipulated that the defendant meets the requirements to be determined a Tier I sexual offender.

The Court having found the defendant to be a Tier I sexual offender, proceeded to explain the duties to register as a Tier I sexual offender under O.R.C. §2950.03 and §2950.04. The defendant, along with his counsel, completed the appropriate notification form

A-5

5626/944  
9/7/10

which notified the defendant of his duty to provide address registration and verification annually for fifteen (15) years and the Court hereby orders notification to Erie County Sheriff's Office or any other county in which defendant resides upon defendant's release from the institution. The Court ordered that the defendant shall be subject to registration and the Sheriff is to take defendant's fingerprints and comply with the dictates of O.R.C. §2950.01, et seq. The Court further advised defendant that he cannot reside within 1000 feet of the boundaries of a school premise, preschool or child day care center. Defendant was further advised, as a Tier I offender, of defendant's right, if eligible, to move for termination of the duty to comply with the registration requirements after ten years.

The Court has considered the record, oral statements, any victim impact statement and the principles and purposes of sentencing under Ohio Revised Code §2929.11.

Defendant waived his right for review of community sanctions and the parties reached an agreement as to the recommended sentence to be imposed on defendant. Defendant was advised at time of entering his plea of his right to appeal within thirty (30) days of the sentence.

After prison release, if post-release control is imposed, for violating post-release control conditions, the Adult Parole Authority or Parole Board may impose a more restrictive or longer

control sanction, return defendant to prison for up to nine months for each violation, up to a maximum of 50% of the stated terms. If the violation is a new felony, defendant may receive a new prison term of the greater of one year or the time remaining on post-release control.

Defendant, as to Count No. 1, having been indicted for the offense of Rape [F-1; O.R.C. §2907.02(A)(1)(b)], heretofore entered a plea of "guilty" and was found "guilty" of the offense of Attempted Gross Sexual Imposition [F-5; O.R.C. §2907.05 and §2923.02] subject to a penalty of 6, 7, 8, 9, 10, 11 or 12 months; defendant, as to Count No. 6, having been indicted for the offense of Endangering Children [F-2; O.R.C. §2919.22(B)(5)/(E)(4)], heretofore entered a plea of "guilty" and was found "guilty" of the amended offense of Endangering Children [F-3; O.R.C. §2919.22(A)] subject to a penalty of 1, 2, 3, 4 or 5 years; the Assistant Prosecuting Attorney with leave of Court on good cause shown thereupon entered a NOLLE PROSEQUI as to Count Nos. 2, 3, 4 and 5 of the indictment filed herein; defendant waived his right to a presentence investigation and the Court inquired of the defendant if he had anything to say why judgment should not be pronounced against him and the defendant made a statement.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant having been found guilty as to Count No. 1, for the offense of ATTEMPTED GROSS SEXUAL IMPOSITION, a fifth degree

felony in violation of §2907.05 and §2923.02 of the Ohio Revised Code, shall be sentenced to the Department of Rehabilitation and Correction and conveyed to the Lorain Correctional Institution at Grafton, Ohio to be imprisoned and confined for a definite sentence for the term of eleven (11) months; defendant having been found guilty as to Count No. 6, for the offense of ENDANGERING CHILDREN, a third degree felony in violation of §2919.22(A) of the Ohio Revised Code, shall be sentenced to the Department of Rehabilitation and Correction and conveyed to the Lorain Correctional Institution at Grafton, Ohio to be imprisoned and confined for a definite sentence for the term of two (2) years; said sentences shall run concurrent; further, said sentences shall be served consecutively to the sentence imposed in Case Number 2007-CR-442 for a total of two (2) years, ten (10) months.

Defendant shall receive 13 days credit for time served as of September 1, 2010; and defendant shall pay the costs of this prosecution for which execution is awarded and the recognizance heretofore given is hereby canceled and sureties thereon are discharged.

IT IS FURTHER ORDERED that upon serving his sentence as to Count 1, defendant *shall* be supervised after leaving prison for a mandatory period of 5 years of post release control.

IT IS FURTHER ORDERED that upon serving his sentence as to Count 6, defendant *may* be supervised after leaving prison for a

period of up to 3 years of post release control. Further, the supervision in Counts 1 and 6 shall run concurrent.

IT IS FURTHER ORDERED that the transfer of defendant into Transitional Control Program(s):   X   will be Denied by this Court/       will not be Denied by this Court.

IT IS FURTHER ORDERED that the defendant        shall be/  X   shall not be recommended for placement into the intensive program prison [IPP].

Defendant is hereby notified that, under Federal law, persons convicted of felonies can never lawfully possess a firearm. Defendant was further notified that if he is ever found with a firearm, even one belonging to someone else, he could be subject to prosecution by federal authorities and subject to imprisonment for several years. This restriction applies even if his Civil Rights have successfully been restored.

IT IS FURTHER ORDERED that the institution shall credit defendant for time served from the date of sentencing until reception at said facility.

IT IS FURTHER ORDERED that the Erie County Sheriff's Office shall transport defendant to the appropriate institution for service of prison sentence.

IT IS FURTHER ORDERED that the Erie County Sheriff's Office shall withdraw any warrants which may have been placed in LEADS and/or NCIC.

IT IS FURTHER ORDERED that the defendant shall submit to the collection of DNA specimen as required by law.

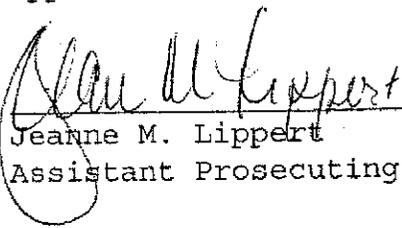
IT IS FURTHER ORDERED that the Erie County Clerk of Courts shall enter, without delay, this Judgment Entry on its journal pursuant to Crim.R. 32(C).

IT IS FURTHER ORDERED that the Erie County Sheriff's Office and Huron Police Department shall withdraw/remove any Temporary Restraining Order [TPO] which may have been placed in LEADS and/or NCIC. The victim is C.G. [DOB: 11/24/93].



JUDGE TYGH M. TONE

Approved:



Jeanne M. Lippert  
Assistant Prosecuting Attorney

cc: Adult Probation Department

IN THE COURT OF APPEALS OF OHIO  
THIRD JUDICIAL DISTRICT  
MARION COUNTY, OHIO

9-11-0056

[STATE EX REL.] Corey J. Williams,  
Inmate No. 591-730,  
North Central Correctional,  
Institution,  
670, Marion Williamsport Rd.,  
East,  
Marion, Ohio, 43301,

Petitioner,

Original Action in  
Writ of Habeas Corpus  
Pursuant to Chapter  
R.C. §2725.

-VS-

DEC -7 2011

Leann Walker-Williams,  
Acting Warden,  
North Central Correctional,  
Institution,  
670, Marion Williamsport Rd.,  
East,  
Marion, Ohio, 43301,

Respondent.

[Introduction]

¶1. Petitioner is unlawfully imprisoned and restrained of his liberty by Leann Walker-Williams, at the North Central Correctional Institution, located at 670, Marion Williams Rd., East, Marion Ohio. 43301.

¶2. Petitioner is confined to the State Correctional Institution by virtue of a order of the Court of Common Pleas of Erie County, Ohio, in Erie County Case No. 2009-CR-291, entered September 2, 2010; A copy of the commitment order is annexed hereto pursuant to R.C. §2725.04.

- ¶3. The cause of petitioner's imprisonment is an act for which the court lack jurisdiction.
- ¶4. The imprisonment is without legal authority.
- ¶5. Petitioner claims that the Erie County Court of Common Pleas was without jurisdiction to enter a judgment of conviction of attempted gross sexual imposition and endangering children.
- ¶6. Petitioner claims that the Erie County Grand Jury never find any cause to believe petitioner committed attempted gross sexual imposition and endangering children, neither by indictment, information, or complaint. A copy of the original indictments are annexed hereto pursuant to R.C. §2725.05.
- ¶7. Crim.R.7(D), does not provide for amendment to the indictment to change the name or the identity of the charges.
- ¶8. But even if there was a separated agreement, the term of the agreement are irrelevant-the parties cannot "agree" to alter the law. State ex rel. Flynt v. Dinkelacker, 156 Ohio App.3d 595, 2004-Ohio-1695. A copy of the plea agreement is annexed hereto. ¶26. Id.
- ¶9. A party detained pursuant to the judgment of a court is entitled to the writ of habeas corpus if the court lacked jurisdiction to enter the judgment. Stahi v. Shoemaker, 50 Ohio St.2d 351, 364 N.E.2d 286.
- ¶10. Habeas Corpus will lie to challenge the jurisdiction of a court despite the availability of appellate review. Ex parte Milton, 87 Ohio Law Abs., 168, 178 N.E.2d 846.

¶11. Wherefore, petitioner prays a writ in habeas corpus be issued to said Respondent and that he may be discharged from said unlawful imprisonment and restraint.

Respectfully submitted,

Corey J. Williams 591-730  
Petitioner, Corey J. Williams,  
Inmate No. #591-730.

INSTRUCTIONS TO THE CLERK:

Please serve a copy of the petition for habeas corpus with attached exhibits upon the Attorney General, Mike DeWine, counsel for the Respondent, issue by certified mail, at Criminal Justice Section, 150 E. Gay Street, 16th Floor, Columbus, Ohio 43215, this 30 day of November, 2011.

Respectfully requested,

Corey J. Williams 591-730  
Petitioner, Corey J. Williams.

IN THE COURT OF APPEALS OF OHIO  
THIRD JUDICIAL DISTRICT  
MARION COUNTY, OHIO

In the Matter of the Petition  
For Writ of Habeas Corpus for

Corey J. Williams,  
Petitioner,

Case No.

-VS-

Affidavit of Verity

Leann Walker-Williams,  
Respondent,

STATE OF OHIO )  
                  ) ss:  
MARION COUNTY )

I, Corey J. Williams, representing myself, being duly sworn  
says that the allegations contained in my Petition for Writ of Habeas  
Corpus are true and accurate as I verily believe.

FURTHER affiant sayeth naught.

Corey J. Williams,  
Inmate Signature

Sworn and subscribed to me this 22 day of November, 2011.



Scott A. Dye  
Notary Public-State of Ohio  
My Commission Expires  
Feb 2 - 2016

Scott A. Dye  
Notary Public



IN THE COURT OF APPEALS OF OHIO  
THIRD JUDICIAL DISTRICT  
MARION COUNTY, OHIO

In the Matter of the Petition  
For Writ of Habeas Corpus for

Corey J. Williams,  
Petitioner

Case No.

-VS-

AFFIDAVIT OF WAIVER OF  
PREPAYMENT OF FILING FEES

Leann Walker-Williams,  
Respondent

STATE OF OHIO)  
MARION COUNTY) ss:

Pursuant to R.C.2969.25(C), I, Corey J. Williams, being  
first duly sworn and cautioned according to law, depose and say  
the following are true and accurate statements:

1. I have no savings, checking, or credit union accounts.
  2. To date, I have \$ -0- in my Inmate Account at North Central  
Correctional Institution.
  3. I have no real property or personal property of significant  
value.
  4. I am an incarcerated inmate and have no source of income.  
(See attached Affidavit of Indigency and Certificate of fund)
- Wherefore, Petitioner request a waiver of the deposit.  
Further, Affiant sayeth naught.

Corey J. Williams  
Petitioner Signature

Sworn and subscribed to me this 22 day of November, 2011.

Scott A. Dye  
Notary Public



Scott A. Dye  
Notary Public-State of Ohio  
My Commission Expires  
Feb 2, 2016

IN THE COURT OF APPEALS OF OHIO  
THIRD JUDICIAL DISTRICT  
MARION COUNTY, OHIO

In the Matter of the Petition  
For Writ of Habeas Corpus for

Corey J. Williams  
Petitioner

Case No.

-VS-

Leann Walker-Williams  
Respondent

STATE OF OHIO )  
MARION COUNTY ) ss:

CERTIFICATE OF INDIGENCY

Now comes Sequel Wellman Account Clerk, and hereby certify  
that on this 28 day of November, 2011, that inmate Williams # 591-720  
has \$1.17 dollars available in his account at NCC T

Respectfully submitted,

Sequel Wellman

Note: An affidavit of indigency and a certificate from the account clerk showing your inmate account balance for the last six months must be attached.

11/28/2011

North Central Correctional Institution

Inmate Demand Statement

Inmate Name: WILLIAMS, COREY J  
Lock Location: NCCI,WY,C,,,0087

Number: A591730

Date Range: 05/01/2011 Through 11/29/2011

Beginning Account Balances:

Ending Account Balances:

	Saving	Debt	Payable
Inmate's Person	\$31.50	\$0.00	\$0.00
<b>Begin Totals</b>	<b>\$31.50</b>	<b>\$0.00</b>	<b>\$0.00</b>

	Saving	Debt	Payable
Inmate's Personal A	\$1.17	\$0.00	\$0.00
<b>End Totals</b>	<b>\$1.17</b>	<b>\$0.00</b>	<b>\$0.00</b>

Transaction Date / Inst.	Transaction Amount	Description	Comment	Saving Balance	Debt Balance	Payable Balance
05/01/2011	(\$15.00)	Inmate's Personal Account	POS Exemption Transfer	\$16.50	\$0.00	\$0.00
NCCI						
05/01/2011	\$15.00	Pos Exemption	POS Exemption Transfer	\$31.50	\$0.00	\$0.00
NCCI						
05/02/2011	\$40.00	TouchPay Kiosk Deposit	4094342/Wood, Neccia	\$71.50	\$0.00	\$0.00
NCCI						
05/02/2011	(\$54.32)	Commissary Sale	Ticket Number 262437	\$17.18	\$0.00	\$0.00
NCCI						
05/06/2011	\$18.00	State Pay	State Pay	\$35.18	\$0.00	\$0.00
NCCI						
05/06/2011	(\$4.50)	Payment to CHILD SUPPORT PAYMENT CENTRAL	various c/sp payments 5-2011	\$30.68	\$0.00	\$0.00
NCCI						
05/06/2011	(\$16.00)	Fundraisers - No Specific Club	Fast Master Fundraiser - Entry #0	\$14.68	\$0.00	\$0.00
NCCI						
05/09/2011	\$50.00	TouchPay Kiosk Deposit	36798/Wood, Neccia	\$64.68	\$0.00	\$0.00
NCCI						
05/09/2011	(\$61.53)	Commissary Sale	ticket Number 263393	\$3.15	\$0.00	\$0.00
NCCI						
05/10/2011	\$10.00	Money Order	WILLIAMS	\$13.15	\$0.00	\$0.00
NCCI						
05/13/2011	\$50.00	TouchPay Kiosk Deposit	57871/Wood, Neccia	\$63.15	\$0.00	\$0.00
NCCI						
05/14/2011	\$17.00	TouchPay Kiosk Deposit	165162/THOMAS J. DEZABER	\$80.15	\$0.00	\$0.00
NCCI						
05/18/2011	\$25.00	Money Order	WOOD	\$105.15	\$0.00	\$0.00

NCCI					
05/23/2011	\$25.00 Money Order	J MANNER	\$130.15	\$0.00	\$0.00
NCCI					
05/24/2011	(\$101.62) Commissary Sale	Ticket Number 265820	\$28.53	\$0.00	\$0.00
NCCI					
05/24/2011	(\$2.00) Medical Co-Payment	DOS 5/16/11 NCCI	\$26.53	\$0.00	\$2.00
NCCI					
05/31/2011	(\$25.17) Commissary Sale	Ticket Number 266507	\$1.36	\$0.00	\$2.00
NCCI					
05/31/2011	\$25.00 TouchPay Kiosk Deposit	4055570/NECCIA K WOOD	\$26.36	\$0.00	\$2.00
NCCI					
06/01/2011	(\$15.00) Inmate's Personal Account	POS Exemption Transfer	\$11.36	\$0.00	\$2.00
NCCI					
06/01/2011	\$15.00 Pos Exemption	POS Exemption Transfer	\$26.36	\$0.00	\$2.00
NCCI					
06/03/2011	\$18.00 State Pay	State Pay	\$44.36	\$0.00	\$2.00
NCCI					
06/03/2011	(\$4.50) Payment to CHILD SUPPORT PAYMENT CENTRAL	Various c/sp payments Jun 2011	\$39.86	\$0.00	\$2.00
NCCI					
06/06/2011	\$25.00 TouchPay Kiosk Deposit	4272422/Wood, Neccia	\$64.86	\$0.00	\$2.00
NCCI					
06/06/2011	(\$60.26) Commissary Sale	Ticket Number 267380	\$4.60	\$0.00	\$2.00
NCCI					
06/15/2011	\$25.00 Money Order	N WOOD	\$29.60	\$0.00	\$2.00
NCCI					
06/16/2011	(\$2.00) Payment to Medical Co-Pay Fund	Medicals - May 2011	\$29.60	\$0.00	\$0.00
NCCI					
06/19/2011	\$25.00 TouchPay Kiosk Deposit	4341924/Wood, Neccia	\$54.60	\$0.00	\$0.00
NCCI					
06/20/2011	(\$52.76) Commissary Sale	Ticket Number 269585	\$1.84	\$0.00	\$0.00
NCCI					
06/26/2011	\$30.00 TouchPay Kiosk Deposit	4375780/Wood, Neccia	\$31.84	\$0.00	\$0.00
NCCI					
06/27/2011	(\$27.76) Commissary Sale	Ticket Number 270707	\$4.08	\$0.00	\$0.00
NCCI					
06/30/2011	\$10.00 TouchPay Kiosk Deposit	4346782/BRANDI R MINOR	\$14.08	\$0.00	\$0.00

NCCI						
07/01/2011	\$0.00 \$15.00 Reservation to Pos Exemption	Odrc Pos Exemption	\$14.08	\$0.00	\$0.00	
NCCI						
07/05/2011	(\$13.98) Commissary Sale	Ticket Number 271689	\$0.10	\$0.00	\$0.00	
NCCI						
07/08/2011	\$18.00 State Pay	State Pay	\$18.10	\$0.00	\$0.00	
NCCI						
07/08/2011	(\$4.50) Payment to CHILD SUPPORT PAYMENT CENTRAL	vaious c/sp payments July 2011	\$13.60	\$0.00	\$0.00	
NCCI						
07/10/2011	\$70.00 TouchPay Kiosk Deposit	4441988/Wood, Neccia	\$83.60	\$0.00	\$0.00	
NCCI						
07/11/2011	(\$82.80) Commissary Sale	Ticket Number 272521	\$0.80	\$0.00	\$0.00	
NCCI						
07/17/2011	\$50.00 TouchPay Kiosk Deposit	4471948/Wood, Neccia	\$50.80	\$0.00	\$0.00	
NCCI						
07/19/2011	\$25.00 Money Order	N WOOD	\$75.80	\$0.00	\$0.00	
NCCI						
07/25/2011	(\$71.54) Commissary Sale	Ticket Number 274746	\$4.26	\$0.00	\$0.00	
NCCI						
07/26/2011	\$25.00 Money Order	N WOOD	\$29.26	\$0.00	\$0.00	
NCCI						
07/28/2011	(\$2.00) Medical Co-Payment	POS 7/26/11 NCCI	\$27.26	\$0.00	\$2.00	
NCCI						
07/28/2011	(\$2.00) Payment to Medical Co-Pay Fund	Medicals - June 2011	\$27.26	\$0.00	\$0.00	
NCCI						
08/01/2011	(\$15.00) Inmate's Personal Account	POS Exemption Transfer	\$12.26	\$0.00	\$0.00	
NCCI						
08/01/2011	\$15.00 Pos Exemption	POS Exemption Transfer	\$27.26	\$0.00	\$0.00	
NCCI						
08/01/2011	(\$27.10) Commissary Sale	Ticket Number 275622	\$0.16	\$0.00	\$0.00	
NCCI						
08/02/2011	\$12.00 TouchPay Kiosk Deposit	4504423/BRANDI R MINOR	\$12.16	\$0.00	\$0.00	
NCCI						
08/04/2011	\$20.00 TouchPay Kiosk Deposit	4372430/NECCIA K WOOD	\$32.16	\$0.00	\$0.00	
NCCI						
08/04/2011	\$40.00 Money Order	N WOOD	\$72.16	\$0.00	\$0.00	

NCCI					
08/05/2011	\$18.00 State Pay	State Pay	\$90.16	\$0.00	\$0.00
NCCI					
08/05/2011	(\$4.50) Payment to CHILD SUPPORT PAYMENT CENTRAL	various cs payments Aug 2011	\$85.66	\$0.00	\$0.00
NCCI					
08/05/2011	(\$38.25) Fundraisers - No Specific Club	NAACP Pizza/Sub Fundraiser-0	\$47.41	\$0.00	\$0.00
NCCI					
08/08/2011	(\$46.71) Commissary Sale	Ticket Number 276578	\$0.70	\$0.00	\$0.00
NCCI					
08/08/2011	\$10.00 Money Order	F LINN	\$10.70	\$0.00	\$0.00
NCCI					
08/08/2011	\$25.00 Money Order	N WOOD	\$35.70	\$0.00	\$0.00
NCCI					
08/18/2011	\$25.00 Money Order	N WOOD	\$60.70	\$0.00	\$0.00
NCCI					
08/22/2011	\$30.00 TouchPay Kiosk Deposit	4652799/Wood, Neccia	\$90.70	\$0.00	\$0.00
NCCI					
08/22/2011	(\$86.32) Commissary Sale	Ticket Number 278662	\$4.38	\$0.00	\$0.00
NCCI					
08/27/2011	\$25.00 OffConnect Kiosk Deposit	3603304284489802498/G OODMAN, IRINE	\$29.38	\$0.00	\$0.00
NCCI					
08/29/2011	(\$27.65) Commissary Sale	Ticket Number 279757	\$1.73	\$0.00	\$0.00
NCCI					
08/30/2011	\$30.00 OffConnect Kiosk Deposit	3606586695193486082/W OOD, NECCIA	\$31.73	\$0.00	\$0.00
NCCI					
09/01/2011	(\$15.00) Inmate's Personal Account	POS Exemption Transfer	\$16.73	\$0.00	\$0.00
NCCI					
09/01/2011	\$15.00 Pos Exemption	POS Exemption Transfer	\$31.73	\$0.00	\$0.00
NCCI					
09/06/2011	(\$31.57) Commissary Sale	Ticket Number 280477	\$0.16	\$0.00	\$0.00
NCCI					
09/06/2011	\$25.00 Money Order	N WOOD	\$25.16	\$0.00	\$0.00
NCCI					
09/06/2011	\$10.00 Money Order	F LEWIS	\$35.16	\$0.00	\$0.00
NCCI					
09/07/2011	\$10.00 Money Order	K WILLIAMS	\$45.16	\$0.00	\$0.00

NCCI					
09/09/2011	\$18.00 State Pay	State Pay	\$63.16	\$0.00	\$0.00
NCCI					
09/09/2011	(\$4.50) Payment to CHILD SUPPORT PAYMENT CENTRAL	August 2011 / Payment	\$58.66	\$0.00	\$0.00
NCCI					
09/12/2011	(\$57.33) Commissary Sale	Ticket Number 281310	\$1.33	\$0.00	\$0.00
NCCI					
09/13/2011	\$25.00 Money Order	NECCIA	\$26.33	\$0.00	\$0.00
NCCI					
09/13/2011	\$25.00 Money Order	N WOOD	\$51.33	\$0.00	\$0.00
NCCI					
09/21/2011	\$20.00 Money Order	N LORD	\$71.33	\$0.00	\$0.00
NCCI					
09/26/2011	(\$65.64) Commissary Sale	Ticket Number 283431	\$5.69	\$0.00	\$0.00
NCCI					
09/28/2011	\$20.00 Money Order	N WOOD	\$25.69	\$0.00	\$0.00
NCCI					
09/28/2011	(\$0.84) Postage Charges (USPS)	Postage	\$24.85	\$0.00	\$0.00
NCCI					
10/01/2011	(\$15.00) Inmate's Personal Account	POS Exemption Transfer	\$9.85	\$0.00	\$0.00
NCCI					
10/01/2011	\$15.00 Pos Exemption	POS Exemption Transfer	\$24.85	\$0.00	\$0.00
NCCI					
10/03/2011	(\$19.93) Commissary Sale	Ticket Number 284554	\$4.92	\$0.00	\$0.00
NCCI					
10/06/2011	\$20.00 Money Order	N. WOOD	\$24.92	\$0.00	\$0.00
NCCI					
10/07/2011	\$25.00 OffConnect Kiosk Deposit	3664248083579429635/G OODMAN, IRINE	\$49.92	\$0.00	\$0.00
NCCI					
10/07/2011	\$50.00 OffConnect Kiosk Deposit	3664248063950086915/W OOD, NECCIA	\$99.92	\$0.00	\$0.00
NCCI					
10/07/2011	\$18.00 State Pay	State Pay	\$117.92	\$0.00	\$0.00
NCCI					
10/07/2011	(\$4.50) Payment to CHILD SUPPORT PAYMENT CENTRAL	various c/sp payments Oct 2011	\$113.42	\$0.00	\$0.00
NCCI					

10/07/2011	(\$20.00) Fundraisers - No Specific Club	DEAF Club donuts-0	\$93.42	\$0.00	\$0.00
NCCI					
10/11/2011	\$10.00 Money Order	F LEWIS	\$103.42	\$0.00	\$0.00
NCCI					
10/11/2011	\$20.00 Money Order	D NIMRICHTER	\$123.42	\$0.00	\$0.00
NCCI					
10/11/2011	(\$90.94) Commissary Sale	Ticket Number 285673	\$32.48	\$0.00	\$0.00
NCCI					
10/19/2011	\$25.00 Money Order	N WOOD	\$57.48	\$0.00	\$0.00
NCCI					
10/22/2011	\$27.00 OffConnect Kiosk Deposit	3683585649055130370/BR OWN, ALLAN	\$84.48	\$0.00	\$0.00
NCCI					
10/24/2011	(\$68.19) Commissary Sale	Ticket Number 287589	\$16.29	\$0.00	\$0.00
NCCI					
10/24/2011	(\$15.00) Commissary Sale	Ticket Number 287590	\$1.29	\$0.00	\$0.00
NCCI					
10/26/2011	\$20.00 Money Order	N WOOD	\$21.29	\$0.00	\$0.00
NCCI					
11/01/2011	(\$15.00) Inmate's Personal Account	POS Exemption Transfer	\$6.29	\$0.00	\$0.00
NCCI					
11/01/2011	\$15.00 Pos Exemption	POS Exemption Transfer	\$21.29	\$0.00	\$0.00
NCCI					
11/01/2011	(\$21.12) Commissary Sale	Ticket Number 288789	\$0.17	\$0.00	\$0.00
NCCI					
11/03/2011	\$20.00 Money Order	N WOOD	\$20.17	\$0.00	\$0.00
NCCI					
11/04/2011	\$10.00 Money Order	F LEWIS	\$30.17	\$0.00	\$0.00
NCCI					
11/04/2011	\$18.00 State Pay	State Pay	\$48.17	\$0.00	\$0.00
NCCI					
11/04/2011	(\$4.50) Payment to CHILD SUPPORT PAYMENT CENTRAL	various child support payments Nov 2011	\$43.67	\$0.00	\$0.00
NCCI					
11/04/2011	(\$14.50) Fundraisers - No Specific Club	ToastMasters Pastry & Sub Fundraiser - 0	\$29.17	\$0.00	\$0.00
NCCI					
11/05/2011	\$40.00 OffConnect Kiosk Deposit	3706291031749714691/W OOD, NECCIA	\$69.17	\$0.00	\$0.00
NCCI					

11/07/2011	\$25.00 OffConnect Kiosk Deposit	3709706842526999299/G	\$94.17	\$0.00	\$0.00
	NCCI	OODMAN, IRINE			
11/07/2011	(\$84.88) Commissary Sale	Ticket Number 289881	\$9.29	\$0.00	\$0.00
	NCCI				
11/08/2011	\$20.00 Money Order	N WOOD	\$29.29	\$0.00	\$0.00
	NCCI				
11/17/2011	\$20.00 Money Order	N WOOD	\$49.29	\$0.00	\$0.00
	NCCI				
11/21/2011	(\$48.38) Commissary Sale	Ticket Number 291842	\$0.91	\$0.00	\$0.00
	NCCI				
11/23/2011	\$25.00 Money Order	J MANNER	\$25.91	\$0.00	\$0.00
	NCCI				
11/25/2011	\$25.00 OffConnect Kiosk Deposit	3721987768833303298/W	\$50.91	\$0.00	\$0.00
	NCCI	OOD. NECCIA			
11/28/2011	(\$49.74) Commissary Sale	Ticket Number 292771	\$1.17	\$0.00	\$0.00
	NCCI				

Outstanding Debts:

Start Date	Description	Case	Agency	County	Total Debt	Paid to Date	Balance Owed
<b>Total Outstanding Case Balances</b>					<b>\$0.00</b>		

Outstanding Holds:

Start Date	Description	Case	Agency	County	Total Debt	Paid to Date	Balance Owed
11/02/2010	Child and Spousal Support	7031266633	CHILD SUPPORT PAYMENT CENTRAL	Erie		\$9.49	
11/02/2010	Child and Spousal Support	7040163128	CHILD SUPPORT PAYMENT CENTRAL	Erie		\$16.58	
11/02/2010	Child and Spousal Support	7056700060	CHILD SUPPORT PAYMENT CENTRAL	Erie		\$12.07	
11/02/2010	Child and Spousal Support	7079085937	CHILD SUPPORT PAYMENT CENTRAL	Erie		\$3.30	
<b>Total Outstanding Case Holds</b>					<b>\$0.00</b>		

Outstanding Investments / EPC:

Investment Type	Investment Type Description	Invest Company	Company Description	Balance

I CERTIFY THIS DOCUMENT IS A TRUE AND ACCURATE ACCOUNT OF THE INMATE'S FINANCIAL RECORDS ON FILE IN MY OFFICE.  
 ACCOUNT CLERK SUPERVISOR  
 CASHIER'S OFFICE

IN THE COURT OF APPEALS OF OHIO  
THIRD JUDICIAL DISTRICT  
MARION COUNTY, OHIO

In the Matter of the Petition  
for Writ of Habeas Corpus for  
Corey J. Williams

\_\_\_\_\_  
Petitioner.

Case No.

-VS-

Leann Walker-Williams

\_\_\_\_\_  
Warden Respondent

AFFIDAVIT OF PRIOR ACTIONS

Pursuant to R.C.2969.25(A), undersigned inmate, Corey J. Williams hereby states that he has not filed any civil actions or appeals against a government entity in the previous five years in state and or Federal Court.

Further, Affiant sayeth naught.

Corey J. Williams  
Inmate Signature

Sworn and subscribed to me this 22 day of November, 2011.



Scott A. Dye  
Notary Public-State of Ohio  
My Commission Expires

Feb-2-2016

Scott A. Dye  
Notary Public

✓  
prob  
proc  
R. Garand  
9/2/10

IN THE COMMON PLEAS COURT OF ERIE COUNTY, OHIO

State of Ohio : Case No. 2009-CR-291  
-vs- : Judge Tygh M. Tone  
Corey J. Williams : JUDGMENT ENTRY  
Defendant :

2010 SEP -2 PM 1:18  
DAVID S. JOHNSON  
CLERK OF COURTS

---oOo---

On the 1st day of September, 2010, defendant's sentencing hearing was held pursuant to Ohio Revised Code §2929.19; present were the Assistant Prosecutor on behalf of the State of Ohio, the defendant in person and represented by counsel, Richard Garand; and defendant was afforded all his rights pursuant to Crim.R. 32.

In so far as defendant was found guilty of attempted gross sexual imposition in violation of O.R.C. §2907.05(A)(1) and §2923.02(A) as to Count 1 and pursuant to O.R.C. §2950 et.seq., this Court finds that defendant is a Tier I sexual offender. The parties stipulated that the defendant meets the requirements to be determined a Tier I sexual offender.

The Court having found the defendant to be a Tier I sexual offender, proceeded to explain the duties to register as a Tier I sexual offender under O.R.C. §2950.03 and §2950.04. The defendant, along with his counsel, completed the appropriate notification form

5626/944  
9/7/10

which notified the defendant of his duty to provide address registration and verification annually for fifteen (15) years and the Court hereby orders notification to Erie County Sheriff's Office or any other county in which defendant resides upon defendant's release from the institution. The Court ordered that the defendant shall be subject to registration and the Sheriff is to take defendant's fingerprints and comply with the dictates of O.R.C. §2950.01, et seq. The Court further advised defendant that he cannot reside within 1000 feet of the boundaries of a school premise, preschool or child day care center. Defendant was further advised, as a Tier I offender, of defendant's right, if eligible, to move for termination of the duty to comply with the registration requirements after ten years.

The Court has considered the record, oral statements, any victim impact statement and the principles and purposes of sentencing under Ohio Revised Code §2929.11.

Defendant waived his right for review of community sanctions and the parties reached an agreement as to the recommended sentence to be imposed on defendant. Defendant was advised at time of entering his plea of his right to appeal within thirty (30) days of the sentence.

After prison release, if post-release control is imposed, for violating post-release control conditions, the Adult Parole Authority or Parole Board may impose a more restrictive or longer

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control sanction, return defendant to prison for up to nine months for each violation, up to a maximum of 50% of the stated terms. If the violation is a new felony, defendant may receive a new prison term of the greater of one year or the time remaining on post-release control.

Defendant, as to Count No. 1, having been indicted for the offense of Rape [F-1; O.R.C. §2907.02(A)(1)(b)], heretofore entered a plea of "guilty" and was found "guilty" of the offense of Attempted Gross Sexual Imposition [F-5; O.R.C. §2907.05 and §2923.02] subject to a penalty of 6, 7, 8, 9, 10, 11 or 12 months; defendant, as to Count No. 6, having been indicted for the offense of Endangering Children [F-2; O.R.C. §2919.22(B)(5)/(E)(4)], heretofore entered a plea of "guilty" and was found "guilty" of the amended offense of Endangering Children [F-3; O.R.C. §2919.22(A)] subject to a penalty of 1, 2, 3, 4 or 5 years; the Assistant Prosecuting Attorney with leave of Court on good cause shown thereupon entered a NOLLE PROSEQUI as to Count Nos. 2, 3, 4 and 5 of the indictment filed herein; defendant waived his right to a presentence investigation and the Court inquired of the defendant if he had anything to say why judgment should not be pronounced against him and the defendant made a statement.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant having been found guilty as to Count No. 1, for the offense of ATTEMPTED GROSS SEXUAL IMPOSITION, a fifth degree.

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felony in violation of §2907.05 and §2923.02 of the Ohio Revised Code, shall be sentenced to the Department of Rehabilitation and Correction and conveyed to the Lorain Correctional Institution at Grafton, Ohio to be imprisoned and confined for a definite sentence for the term of eleven (11) months; defendant having been found guilty as to Count No. 6, for the offense of **ENDANGERING CHILDREN**, a third degree felony in violation of §2919.22(A) of the Ohio Revised Code, shall be sentenced to the Department of Rehabilitation and Correction and conveyed to the Lorain Correctional Institution at Grafton, Ohio to be imprisoned and confined for a definite sentence for the term of two (2) years; said sentences shall run concurrent; further, said sentences shall be served consecutively to the sentence imposed in Case Number 2007-CR-442 for a total of two (2) years, ten (10) months.

Defendant shall receive 13 days credit for time served as of September 1, 2010; and defendant shall pay the costs of this prosecution for which execution is awarded and the recognizance heretofore given is hereby canceled and sureties thereon are discharged.

IT IS FURTHER ORDERED that upon serving his sentence as to Count 1, defendant shall be supervised after leaving prison for a mandatory period of 5 years of post release control.

IT IS FURTHER ORDERED that upon serving his sentence as to Count 6, defendant may be supervised after leaving prison for a

period of up to 3 years of post release control. Further, the supervision in Counts 1 and 6 shall run concurrent.

IT IS FURTHER ORDERED that the transfer of defendant into Transitional Control Program(s): X will be Denied by this Court/\_\_\_\_\_ will not be Denied by this Court.

IT IS FURTHER ORDERED that the defendant \_\_\_\_\_ shall be/ X shall not be recommended for placement into the intensive program prison [IPP].

Defendant is hereby notified that, under Federal law, persons convicted of felonies can never lawfully possess a firearm. Defendant was further notified that if he is ever found with a firearm, even one belonging to someone else, he could be subject to prosecution by federal authorities and subject to imprisonment for several years. This restriction applies even if his Civil Rights have successfully been restored.

IT IS FURTHER ORDERED that the institution shall credit defendant for time served from the date of sentencing until reception at said facility.

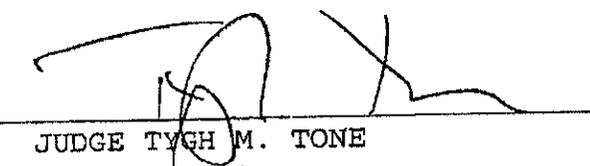
IT IS FURTHER ORDERED that the Erie County Sheriff's Office shall transport defendant to the appropriate institution for service of prison sentence.

IT IS FURTHER ORDERED that the Erie County Sheriff's Office shall withdraw any warrants which may have been placed in LEADS and/or NCIC.

IT IS FURTHER ORDERED that the defendant shall submit to the collection of DNA specimen as required by law.

IT IS FURTHER ORDERED that the Erie County Clerk of Courts shall enter, without delay, this Judgment Entry on its journal pursuant to Crim.R. 32(C).

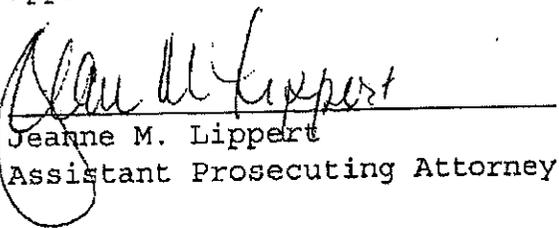
IT IS FURTHER ORDERED that the Erie County Sheriff's Office and Huron Police Department shall withdraw/remove any Temporary Restraining Order [TPO] which may have been placed in LEADS and/or NCIC. The victim is C.G. [DOB: 11/24/93].



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JUDGE TYGH M. TONE

Approved:



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Jeanne M. Lippert  
Assistant Prosecuting Attorney

cc: Adult Probation Department

INDICTMENT  
Crim. Rule 6, 7

FILED  
COMMON PLEAS COURT  
ERIE COUNTY, OHIO  
2009 JUL 17 PM 12:47  
BARBARA L. JONES  
CLERK OF COURTS

THE STATE OF OHIO

COURT OF COMMON PLEAS

Erie County, ss.

OF the Term January/July Session in the year TWO THOUSAND AND NINE

THE JURORS OF THE GRAND JURY of the State of Ohio, within and for the body of the County aforesaid, on their oaths, in the name and by the authority of the State of Ohio, do find and present that on or about the 16th day of June, 2004, at Erie County, Ohio Cory J. Williams

did engage in sexual conduct with CG (DOB 11/24/93), not the spouse of the said Cory J. Williams, the said CG being less than thirteen (13) years of age, in violation of O.R.C. §2907.02(A)(1)(b) and against the peace and dignity of the State of Ohio. (F-1) (RAPE)

COUNT TWO

That on or about the 16th day of June, 2004, at Erie County, Ohio, Cory J. Williams did engage in sexual conduct with CG (DOB 11/24/93), not the spouse of the said Cory J. Williams, the said CG being less than thirteen (13) years of age, in violation of O.R.C. §2907.02(A)(1)(b) and against the peace and dignity of the State of Ohio. (F-1) (RAPE)

COUNT THREE

That on or about the 16th day of June, 2004, at Erie County, Ohio, Cory J. Williams did, with knowledge of its character or content, recklessly directly sell, deliver, furnish, disseminate, provide, exhibit, rent, or present to CG, a juvenile, any material or performance that was obscene or harmful to juveniles, in violation of O.R.C. §2907.31(A)(1) and against the peace and dignity of the State of Ohio. (F-5) (DISSEMINATING MATTER HARMFUL TO JUVENILES)

COUNT FOUR

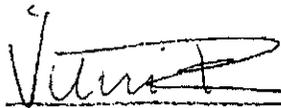
That on or about the 16th day of June, 2004, at Erie County, Ohio, Cory J. Williams did photograph a minor who is not the said Cory J. Williams' child or ward in a state of nudity, or create, direct, produce, or transfer any material or performance that shows the minor in a state of nudity, in violation of O.R.C. §2907.323(A)(1) and against the peace and dignity of the State of Ohio. (F-2)  
(ILLEGAL USE OF A MINOR IN A NUDITY-ORIENTED MATERIAL OR PERFORMANCE)

COUNT FIVE

That on or about the 16th day of June, 2004, at Erie County, Ohio, Cory J. Williams did photograph a minor who is not the said Cory J. Williams' child or ward in a state of nudity, or create, direct, produce, or transfer any material or performance that shows the minor in a state of nudity, in violation of O.R.C. §2907.323(A)(1) and against the peace and dignity of the State of Ohio. (F-2)  
(ILLEGAL USE OF A MINOR IN A NUDITY-ORIENTED MATERIAL OR PERFORMANCE)

COUNT SIX

That on or about the 16th day of June, 2004, at Erie County, Ohio, Cory J. Williams did by force, threat or deception, remove CG from the place where she was found, or restrain the liberty of CG with purpose to engage in sexual activity as defined in O.R.C. §2901.01, with CG against her will, in violation of O.R.C. §2905.01(A)(4) and against the peace and dignity of the State of Ohio. (F-1)  
(KIDNAPPING)

  
\_\_\_\_\_  
Prosecuting Attorney

COMMON PLEAS COURT OF ERIE COUNTY, OHIO

July Session/January Term, 2009

THE STATE OF OHIO

vs.

Cory J. Williams

CASE NO. 2009-CR-291

=====
INDICTMENT FOR:

Rape - 2 cts.; Disseminating Matter Harmful to Juveniles;

Illegal Use of a Minor in a Nudity-Oriented Material or

Performance - 2 cts. - Kidnapping

=====
[Signature]
PROSECUTING ATTORNEY

A TRUE BILL

[Signature]
FOREPERSON OF THE GRAND JURY

THIS BILL OF INDICTMENT FOUND UPON TESTIMONY SWORN AND SENT BEFORE THE GRAND JURY AT THE REQUEST OF THE PROSECUTING ATTORNEY.

[Signature]
FOREPERSON OF THE GRAND JURY

=====
The State of Ohio, Erie County.

I, the undersigned, the Clerk of Common Pleas in and for said County, do hereby certify that the foregoing is a full, true and correct copy of the original indictment, with the endorsements thereon, now on file in my office.

WITNESS my hand and the seal of said Court at Sandusky,

Ohio, this \_\_\_\_\_ day of \_\_\_\_\_.

Barbara J. Johnson
Clerk

by \_\_\_\_\_
Deputy

IN THE COMMON PLEAS COURT OF ERIE COUNTY, OHIO

State of Ohio

Case No. 20 09-CR-291

2010 AUG -2 PH12:37  
KATHARINA J. SCHMIDT  
CLERK OF COURTS

JUDGMENT ENTRY OF PLEA

Felony Offenses

Coey J. Williams  
Defendant

DOB

Prosecutor: J. Kipjer

Defense Counsel: Nick Edward

DATE: August 2, 2010

Defendant was present and advised of Criminal Rule 11 Rights.  
Defendant entered a: Guilty Plea  Diversion Plea  Intervention In Lieu Conviction Plea

COUNT	ORC#	CHARGE/OFFENSE	PLEA	VERDICT/FINDINGS
1	<u>2907.05</u>	<u>Attempted Gross Sexual</u>	<u>Guilty</u>	<u>Guilty</u> Not Guilty
	<u>2923.02</u>	<u>LESSER/AMENDED Imposition</u>	<u>Dismiss</u>	DEGREE <u>F.5</u>
2	<u>2907.02(A)(1)(b)</u>	<u>Rape</u>	<u>Guilty</u>	<u>Guilty</u> Not Guilty
		<u>LESSER/AMENDED</u>	<u>Dismiss</u>	DEGREE _____
3	<u>2907.31(A)(1)</u>	<u>Disseminating Matter</u>	<u>Guilty</u>	<u>Guilty</u> Not Guilty
		<u>LESSER/AMENDED Harmful to juveniles</u>	<u>Dismiss</u>	DEGREE _____
4	<u>2907.323(A)(1)</u>	<u>Illegal Use of a Minor in</u>	<u>Guilty</u>	<u>Guilty</u> Not Guilty
		<u>LESSER/AMENDED a nudity-oriented Material of performance</u>	<u>Dismiss</u>	DEGREE _____
				<u>Guilty</u> Not Guilty

SPECIFICATION(S): Guilty Dismissed Other \_\_\_\_\_

PENALTIES:

DEGREE	PRISON SENTENCE	COUNTS	FINES	DRUG MANDATORY FINES
Felony 1:	3,4,5,6,7,8,9, or 10 years	Count(s) _____	\$20,000.00	\$10,000.00 - \$20,000.00
Felony 2:	2,3,4,5,6,7, or 8 years	Count(s) _____	\$15,000.00	\$7,500.00 - \$15,000.00
Felony 3:	1,2,3,4, or 5 years	Count(s) <u>6</u>	\$10,000.00	\$5,000.00 - \$10,000.00
Felony 4:	6,7,8,9,10,11,12,13,14,15,16,17, or 18 months	Count(s) _____	\$5,000.00	
Felony 5:	6,7,8,9,10,11, or 12 months	Count(s) <u>1</u>	\$2,500.00	
Misdemeanor 1:	Up to 6 months in Jail			

Restitution to the victim(s): Fines \$12,500 and other financial costs may be imposed. Further, a Supervision Fee up to \$50.00 per month may be imposed if I am granted Community Control Sanctions.

MANDATORY Prison Counts	No <input checked="" type="checkbox"/> yes _____	CT(s) # _____
PRESUMPTION Prison Counts	No <input checked="" type="checkbox"/> yes _____	CT(s) # _____
MANDATORY License Suspension	No <input checked="" type="checkbox"/> yes _____	CT(s) # _____ Length _____
MANDATORY Fines	No <input checked="" type="checkbox"/> yes _____	CT(s) # _____
REPEAT Offender	No _____ yes _____	CT(s) # _____

I know the Maximum  PRISON sentence \_\_\_\_\_ JAIL sentence is 6 years 0 months - of which at least \_\_\_\_\_ is mandatory. Mandatory sentence means during the Mandatory sentence I am NOT eligible for community sanctions, judicial release or any other form of early release.

I know any prison sentence I receive will be the sentence I have to serve without any good time credit.

After prison release, I  may  shall have up to 3 years of Post Release Control.  
3 yrs. on ct. 1 on count 6

Further, the Parole Board could return me to prison for up to nine months for each violation of those conditions, for a total of 50% of my stated term. However, if the violation is a new felony, I could receive the greater of one (1) year or my time remaining on Post Release Control.

J624/215  
08-03-10

COUNT	ORCH#	CHARGE/OFFENSE	PLEA	VERDICT/FINDINGS
5	2707.323(A)(1)	Illegal Use of Minor in a studio or extra material performance LESSER AMENDED	No Contest Guilty <u>Dismiss</u>	Guilty Not Guilty DEGREE
6	22 TMT 2919.24(A)	Endangering Children LESSER AMENDED	No Contest <u>Guilty</u> Dismiss	<u>Guilty</u> Not Guilty DEGREE <u>F-3</u>
8		LESSER AMENDED	No Contest Guilty Dismiss	Guilty Not Guilty DEGREE
9		LESSER AMENDED	No Contest Guilty Dismiss	Guilty Not Guilty DEGREE
10		LESSER AMENDED	No Contest Guilty Dismiss	Guilty Not Guilty DEGREE
11		LESSER AMENDED	No Contest Guilty Dismiss	Guilty Not Guilty DEGREE
12		LESSER AMENDED	No Contest Guilty Dismiss	Guilty Not Guilty DEGREE
13		LESSER AMENDED	No Contest Guilty Dismiss	Guilty Not Guilty DEGREE
14		LESSER AMENDED	No Contest Guilty Dismiss	Guilty Not Guilty DEGREE
15		LESSER AMENDED	No Contest Guilty Dismiss	Guilty Not Guilty DEGREE
16		LESSER AMENDED	No Contest Guilty Dismiss	Guilty Not Guilty DEGREE
17		LESSER AMENDED	No Contest Guilty Dismiss	Guilty Not Guilty DEGREE
18		LESSER AMENDED	No Contest Guilty Dismiss	Guilty Not Guilty DEGREE
19		LESSER AMENDED	No Contest Guilty Dismiss	Guilty Not Guilty DEGREE
20		LESSER AMENDED	No Contest Guilty Dismiss	Guilty Not Guilty DEGREE

IF I am now on Felony Probation, Community Control Sanctions, Parole, Post Release Control or Future Good Behavior, or am accountable to any Court or agency, this plea may result in revocation proceedings and any new sentence could be imposed consecutively.

- I have been advised of my right to appeal, the document(s) I must file, and the timing of the filing.
- I have a right to be sentenced by the Judge who accepted my plea in this case, I am waiving that right.
- I have been advised that a felony conviction has consequences in regards to Federal laws and firearms.
- I have been advised that a felony conviction may have consequences in regards to my citizenship.

Referred For P.S.I.  
 Community Sanctions       Non-Community Sanctions

- Refer for Evaluation.
- 2950. Sex Classification
- 2947. Psych Recommended
- 2951. Chemical Dependency

Waived P.S.I. - Agreed Recommended Sentence Defendant agrees to serve a 2 year prison sentence. Defendant shall be classified as a Tier 1 offender. Defendant waives any defects in a bond set by court. If defendant gets in trouble, is on bond, deal by 2 yrs. is off.

Agreed Forfeiture of Property - property seized from Defendant at the time of arrest, and/or execution of search, in relation to this case       yes       no       (Other)

I am required to REPORT IMMEDIATELY IN PERSON, after this Plea Hearing, to the Erie County Adult Probation Department, at 503 W. Washington St., Sandusky, Ohio. Failure to report may result in my BOND being REVOKED and I can be taken into custody.

8/2/10

Date

X Corey J. Williams

DEFENDANT

\*\*\*\*\*  
**Guilty FINDING**  
 \*\*\*\*\*

The Court hereby FINDS that this day Defendant, in open court, was advised of all Constitutional Rights and made a KNOWING, INTELLIGENT, and VOLUNTARY waiver of those rights pursuant to Crim. R. 11. The Plea is accepted and is Ordered filed. The Court FINDS defendant GUILTY of each offense to which defendant has entered this plea.

\*\*\*\*\*  
**Diversion / Intervention in Lieu of Conviction FINDING**  
 \*\*\*\*\*

The Court hereby FINDS that this day Defendant, in open court, was advised of all Constitutional Rights and made a KNOWING, INTELLIGENT, and VOLUNTARY waiver of those rights pursuant to Crim. R. 11. The Plea is accepted and is Ordered filed. The Court shall hold its FINDINGS in abeyance, and hereby STAYS all further criminal proceedings, and "tolls" any applicable statutory time periods, during the pendency of Defendant's

DIVERSION PROGRAM

INTERVENTION IN LIEU OF CONVICTION.

Defendant's next Hearing for  Sentencing       Restitution       Conditions       Other ( )  
 is scheduled for August 26 2010 at 9:00 a.m.

Bond Continued       Defendant Remanded Erie Co. Jail       New Bond Separate Judgment Entry

[Signature]  
 PROSECUTING ATTORNEY

[Signature]  
 DEFENSE ATTORNEY

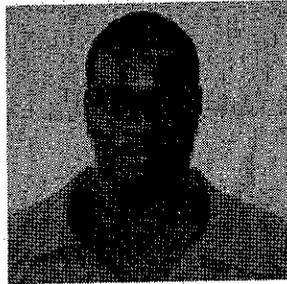
[Signature]  
 JUDGE

Ohio Department of Rehabilitation and Correction Offender Search Detail

<< Search Page

Your search only returned one record.

COREY J WILLIAMS	
<b>Number:</b>	A591730
<b>DOB:</b>	04/26/1978
<b>Gender:</b>	Male
<b>Race:</b>	Black
<b>Admission Date:</b>	09/07/2010
<b>Institution:</b>	North Central Correctional Institution
<b>Status:</b>	INCARCERATED



Victim Info	Ohio Revised Code	Offense Information	Pre-S.B. 2 Felony Sentencing Chart	S.B. 2 Felony Sentencing Chart
NON-SUPPORT Committing County: ERIE		Admission Date: 09/07/2010 Counts: 2	ORC: 2919.21 4 Degree of Felony: Fifth	<input type="button" value="Victim Info"/>
ATTEMPTED GSI Committing County: ERIE		Admission Date: 09/07/2010 Counts: 1	ORC: 2907.05 4 Degree of Felony: Fifth	<input type="button" value="Victim Info"/>
ENDANGER CHILD Committing County: ERIE		Admission Date: 09/07/2010 Counts: 1	ORC: 2919.22 4 Degree of Felony: Third	<input type="button" value="Victim Info"/>

Sentence Information	
<b>Stated Prison Term:</b>	2 years and 10 months
<b>Expiration Stated Term:</b>	05/21/2013

**Notes**

The above information may not contain a complete list of sentencing information for each offender.

The supervision period may not coincide with the current offense, but may reflect the offender's remaining supervision obligation from a previous offense.

Any person, agency or entity, public or private, who reuses, publishes or communicates the information available from this server shall be solely liable and responsible for any claim or cause of action based upon or alleging an improper or inaccurate disclosure arising from such reuse, re-publication or communication, including but not limited to, actions for defamation and invasion of privacy.

Questions concerning the information contained in these documents should be sent via the U.S. Mail to the appropriate correctional institution, attn: Record Office. Addresses are available at at this link: [INSTITUTIONS](#).



# Ohio Department of Rehabilitation and Correction

**RECEIVED**  
SEP 8 - 2011  
Bureau of  
Classification

770 West Broad Street  
Columbus, Ohio 43229

To Bureau of Classification

From Warden, Edward T Sheldon

Institution North Central Correctional Institution

Name WILLIAMS, Corey	Number A-591730
-------------------------	--------------------

We are requesting authorization to transfer the above named inmate(s) from  
North Central Correctional Institution to Grafton Correctional Institution  
 for the following reason(s)

The above mentioned offender is requesting a hardship visiting transfer. Letters to support this transfer are attached  
 The Unit Transfer Committee is recommending this transfer

Forms are completed on DOTS portal Offender is security level 2

He came to NCCI on 12/28/2010 has an an out date of 05/21/2013

### NATURE OF TRANSFER

- Security     
  Medical     
  Administrative     
  Psychiatric

Warden's Signature <i>Ed Sheldon</i>	Date 9-7-11
-----------------------------------------	----------------

In the case of a level 4 transfer, a copy of this request was served upon the above-named inmate on

Date	Time	Staff

### DEPARTMENTAL ACTION

- Request Approved     
  Request Amended     
  Request Denied

Reasons:

*TT COZ (L2),  
 VISITING HAZARD*

Bureau Of Classification <i>William A. Eddy / 2011</i>	Date 9/8/2011
-----------------------------------------------------------	------------------

Departmental Offender Tracking System

A591730 WILLIAMS, COREY J

Help

Logout

Search

Home Portal

Offender Movement History - MOVES

GO

A

- HOME
- Portal Index
- Offender Search
- Offender Snapshot
- Your Signature
- Offender Information
- SB 52 Tools
- Snapshot Views
- Juvenile Records
- Screen Publications
- WOTC System
- OJL VC Notification
- Job Linkage
- OHIO Database
- Ex-Offender Jobs
- County Jail Database
- Offender Detainers
- Chaplain Processing

SB2

Offender Number: A591730

Name: WILLIAMS, COREY J

Expected Release: 05/21/2013

Institution: GCI

Lock: B/6/0203/T

Race: BLACK

HB/SB: N/Y

Job: ORIENTATION

Department: GCI

Location: ORIENTATION

INCARCERATED - 03/26/2012 - ADMIN. TRANSFER

MM/DD/YY	INSTITUTION	LOCK	MM/DD/YY	INSTITUTION	LOCK
03/27/12	GCI	B /6 /0203/T/	03/26/12	GCI	B /6 /0184/T/
03/26/12	GCI		07/31/11	NCCI	WY/C /0087//
07/31/11	NCCI	IN/IHS/3 //	06/02/11	NCCI	WY/C /0087//
06/02/11	NCCI	Z /MIS/1 //	06/02/11	NCCI	WY/C /0059//
05/09/11	NCCI	WY/C /0087//	05/09/11	NCCI	WY/D /0104//
05/09/11	NCCI	Z /MIS/1 //	01/31/11	NCCI	WY/C /0059//
12/28/10	NCCI	WY/C /0055//	12/28/10	NCCI	
12/27/10	MACI	SC/SEG/126 //	11/23/10	MACI	B /B /223L//
10/13/10	MACI	B /B /204U//	10/13/10	MACI	
09/20/10	LORCI	08/B /118B//	09/07/10	LORCI	04/B /201T//
09/07/10	LORCI				

Departmental Offender Tracking System Portal