

NO. 11-1677

ORIGINAL

IN THE SUPREME COURT OF OHIO

APPEAL FROM
THE COURT OF APPEALS FOR CUYAHOGA COUNTY, OHIO
NO. 95750

STATE OF OHIO,

Plaintiff-Appellee

-vs-

DEREK WARNER,

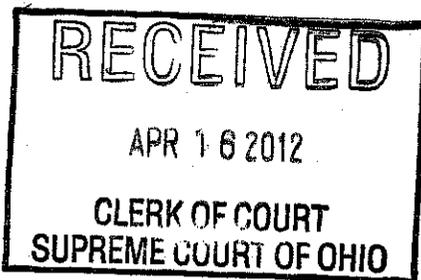
Defendant-Appellant

**MOTION TO FILE UNDER SEAL THE SUPPLEMENT TO
APPELLEE'S MERIT BRIEF, FILED PURSUANT TO S. CT. R. P. 7.1**

Counsel for Plaintiff-Appellee

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Pursuant to S.Ct.Prac.R. 7.1, counsel for Appellee, The State of Ohio, respectfully submits a supplement to the Appellee's merit brief. Appellee submits the following two documents: (1) the docket from Cuyahoga County Common Pleas Court-Juvenile Division, case number DL-09-123216, and (2) a journal entry of discretionary bindover from Cuyahoga County Common Pleas Court-Juvenile Division, case number DL-09-123216.

Appellee submits that this portion of the record from DL-09-123216 is necessary to determine the questions presented. Appellant made reference to DL-09-123216 in his merit brief. (Appellant's Merit Brief at fn. 2). Because the supplement contains records of the Cuyahoga County Juvenile Court, which are confidential under Juv. R. 27(B), the State requests to file the supplement under seal. Appellant will not be prejudiced as Appellee has transmitted courtesy

copies of the supplement to Assistant Public Defender Nathaniel McDonald.

Respectfully submitted,

WILLIAM D. MASON
CUYAHOGA COUNTY PROSECUTOR

BY:

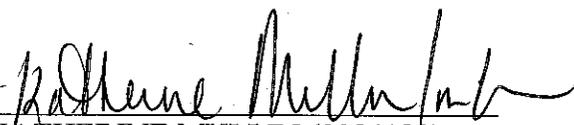

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SERVICE

A copy of the foregoing Motion to Supplement Appellee's brief has been mailed this 13th
day of April, 2012 to:

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