

ORIGINAL

IN THE SUPREME COURT OF OHIO

STATE OF OHIO,	:	
	:	Case No. 2011-2094
Plaintiff-Appellant,	:	
	:	On Appeal From the Cuyahoga
v.	:	County Court of Appeals, Eighth
	:	Appellate District Case No. 94965.
VAN WILLIAMS,	:	
	:	
Defendant-Appellee.	:	

MOTION FOR APPOINTMENT OF COUNSEL

William Mason  
Cuyahoga County Prosecutor

Office of the Ohio Public Defender

Matthew E. Meyer (0075253)  
Assistant Prosecuting Attorney  
(Counsel of Record)

Stephen A. Goldmeier (0087553)  
Assistant State Public Defender

1200 Ontario Street, 8<sup>th</sup> Floor  
Cleveland, Ohio 44113  
(216) 443-7800  
(216) 698-2270 – FAX

250 East Broad Street - Suite 1400  
Columbus, Ohio 43215  
(614) 466-5394  
(614) 752-5167 – Fax  
stephen.goldmeier@opd.ohio.gov

Counsel for Plaintiff-Appellant  
State of Ohio

Counsel for Defendant-Appellee  
Van Williams

FILED

APR 25 2012

CLERK OF COURT  
SUPREME COURT OF OHIO

## **Motion for Appointment of Counsel**

Appellee Van Williams respectfully asks this Court to appoint the Office of the Ohio Public Defender to represent him in this direct appeal. This court has accepted jurisdiction to hear this appeal by the State of Ohio from the Eight District Court of Appeals.

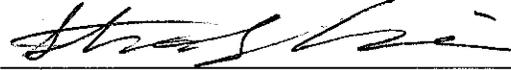
Attorney Clerk Leon J. Sinoff contacted Mr. Williams's counsel in the Eighth District Court of Appeals. (*See* Affidavit of Leon Sinoff, attached as Exhibit A.) Counsel indicated that he would not be representing Mr. Williams in the Ohio Supreme Court. The Ohio Public Defender then agreed to assume the representation of Mr. Williams in the matter before this Court. The Ohio Public Defender received Mr. Williams's indigency documents on April 20, 2012.

This Court should appoint the Ohio Public Defender for this appeal because Mr. Williams is indigent and lacks the skill and knowledge necessary to adequately pursue and protect his rights without the assistance of counsel.

Accordingly, Van Williams respectfully requests that this Court appoint the Office of the Ohio Public Defender to act as his counsel for the appeal currently pending in this Court in Case Number 2011-2094. Additionally, Assistant State Public Defender Stephen A. Goldmeier enters his appearance in the above-captioned case on behalf of Mr. Williams and requests that all future correspondence and service regarding this case be sent to him at the address below.

Respectfully submitted,

OFFICE OF THE OHIO PUBLIC DEFENDER



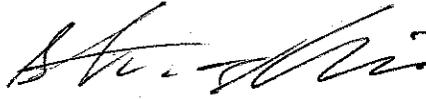
Stephen A. Goldmeier (0087553)  
Assistant State Public Defender

250 East Broad Street - Suite 1400  
Columbus, Ohio 43215  
(614) 466-5394  
(614) 752-5167 (Fax)  
[stephen.goldmeier@opd.ohio.gov](mailto:stephen.goldmeier@opd.ohio.gov)

Counsel for Defendant- Appellee,  
Van Williams

**Certification of Service**

This is to certify that a copy of the foregoing **Motion for Appointment of Counsel** was sent by regular U.S. mail to Matthew E. Meyer, Assistant Prosecuting Attorney, Cuyahoga County Prosecutor's Office, 1200 Ontario Street, 8<sup>th</sup> Floor, Cleveland, OH 44113, this 25<sup>th</sup> day of April, 2012.



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Stephen A. Goldmeier (0087553)  
Assistant State Public Defender

Counsel for Defendant- Appellee,  
Van Williams

#365295

**EXHIBIT A**

**In The Supreme Court Of Ohio**

State Of Ohio,	:	
Appellant,	:	
-Vs-	:	Case No: 2011-2094
Van Williams,	:	
Appellee.	:	

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**AFFIDAVIT OF LEON SINOFF  
ATTORNEY CLERK, OFFICE OF THE OHIO PUBLIC DEFENDER**

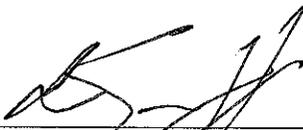
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I, Leon J. Sinoff, after being duly sworn, hereby state as follows:

1. I am an attorney licensed in the State of Ohio (Bar No. 0086992). I am, and have been at all relevant times, employed by the Office of the Ohio Public Defender in the position of Attorney Clerk. All events relevant to this affidavit have occurred within the scope of my employment as Attorney Clerk for the Office of the Ohio Public Defender ["OPD"].
2. As part of my duties, I am assigned to monitor developments in certain criminal cases where review in the Supreme Court of Ohio is sought by the State of Ohio. In the event that the Supreme Court of Ohio accepts an appeal that I monitor, I may be asked to confirm whether the attorney who is listed on the Supreme Court of Ohio's online docket as counsel of record for Defendant-Appellee indeed continues to represent Defendant-Appellee.
3. On March 7, 2012, I became aware that the Supreme Court of Ohio granted jurisdiction in the matter of *State of Ohio v. Van Williams*, Sup. Ct. No. 2011-2094, a case that I monitor. Through the Supreme Court of Ohio online docket, I saw attorney Craig Weintraub listed as counsel of record for Defendant-Appellee Williams. That day, I left a voice mail message for Attorney Weintraub at the phone number listed on his Supreme Court of Ohio web profile, asking whether he would be representing Mr. Williams before the Supreme Court of Ohio.
4. On March 15, 2012, I received a phone call from Attorney Weintraub. Mr. Weintraub stated that he is not representing Mr. Williams in the matter before the Supreme Court of Ohio. Attorney Weintraub stated that Mr. Williams is indigent. Attorney Weintraub agreed that Mr. Williams's interests would be served by OPD seeking to obtain counsel

for Mr. Williams in this matter. I informed him that OPD would likely seek to have counsel appointed for Mr. Williams, and Attorney Weintraub stated that he approved of this action.

Further affiant sayeth naught.

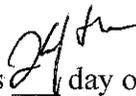
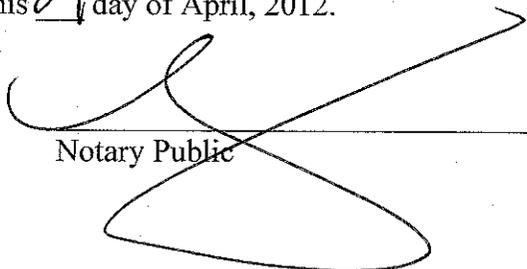
  
LEON J. SINOEFF  
Attorney Clerk  
Office of the Ohio Public Defender

Sworn to and subscribed before me on this 24<sup>th</sup> day of April, 2012.



#364653

**E. KELLY MIHOCIK, Attorney At Law**  
**NOTARY PUBLIC - STATE OF OHIO**  
My commission has no expiration date  
Sec. 147.03 R.C.

  
  
Notary Public