

MEMORANDUM IN SUPPORT

The Relator-Appellant, Joseph McGrath, propria persona hereby requests for leave of the Court to proceed in forma pauperis and for waiver of filing fees and the number of required copies, pursuant to Ohio S.Ct. R. Prac., 8.5, the Ohio and United States Constitutions, as the relator-appellant is indigent as demonstrated by the attached poverty affidavit.

Wherefore, the relator-appellant prays the court finds this motion well taken and granted.

Respectfully submitted,

Joseph McGrath
2500 South Avon Belden Road
Grafton, Ohio 44044

SERVICE

A true copy of the foregoing was sent out today 4-23-12 by regular U.S. mail to the respondents-appellees counsel of record, William D. Mason Esq., or a member of his staff, located at 1200 Ontario Street, Cleveland, Ohio 44113.

Respectfully submitted,

Joseph McGrath
2500 South Avon Belden Road
Grafton, Ohio 44044

IN THE SUPREME COURT OF OHIO

AFFIDAVIT OF INDIGENCE

I, Joseph McGrath, either affirm, attest, or swear, under penalty of perjury, that I am without the necessary funds to pay the costs of this action for the following reason(s):

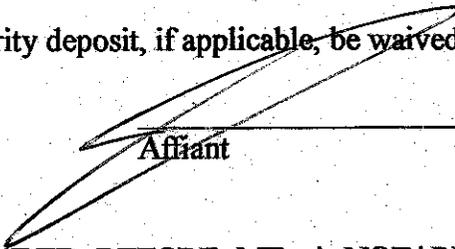
(1) I am currently incarcerated at the Grafton Correctional Institution and I am the Defendant in this action. I am unable to secure funds without substantial hardship to my family and myself;

(2) I have no assets, either in property or bank accounts, from which to obtain the money to pay costs of this action and I earn \$ 15.00 per month in state pay;

(3) I understand that I am subject to criminal charges for providing false information in connection with the instant motion for waiver of pre-payment pursuant to Ohio Revised Codes 120.05 and 2921.13;

(4) I hereby certify the information I have provided in this affidavit is true to the best of my knowledge.

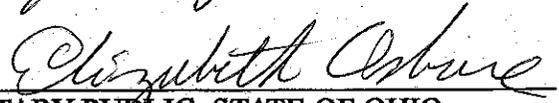
Pursuant to Rule XV, Section 3, of the Rules of Practice of the Ohio Supreme Court, I am requesting that the filing fee and security deposit, if applicable, be waived.



Affiant

SWORN TO AND SUBSCRIBED BEFORE ME, A NOTARY PUBLIC FOR THE STATE OF OHIO THIS 5th DAY OF February 20 12.

S.S.



NOTARY PUBLIC, STATE OF OHIO



ELIZABETH OSBORNE
Notary Public, State of Ohio
COMMISSION EXPIRATION DATE
My Commission Expires
June 25, 2016
Recorded in Lorain County