

ORIGINAL

IN THE SUPREME COURT OF OHIO

CASE NO. 12-0808

STATE OF OHIO

Plaintiff-Appellee,

v.

MONTOYA L. BOYKIN

Defendant-Appellant,

CITY OF AKRON

Plaintiff-Appellee,

v.

MONTOYA L. BOYKIN

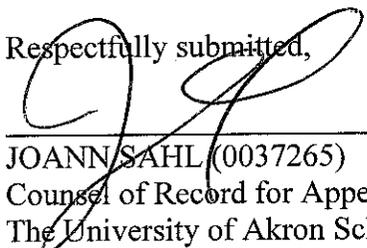
Defendant-Appellant,

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(County Court of Appeals,
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(On Appeal from the Summit
(County Court of Appeals,
(Ninth Judicial District
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(Case No. 25845

NOTICE OF PENDING MOTION TO CERTIFY CONFLICT

On April 12, 2012, Ms. Boykin filed in the Ninth District Court of Appeals a timely Motion to Certify Conflict arguing that the court's decision was in conflict with *State v. Cope*, 111 Ohio App.3d 309 (1st Dist. 1996). The motion is still pending.

Respectfully submitted,

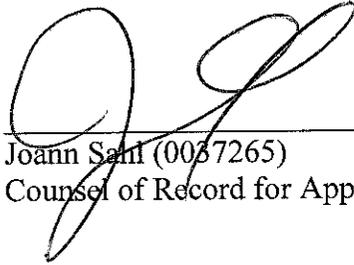

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FILED
MAY 09 2012
CLERK OF COURT
SUPREME COURT OF OHIO

RECEIVED
MAY 09 2012
CLERK OF COURT
SUPREME COURT OF OHIO

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Notice was hand delivered to Michael J. Defibaugh, Assistant Prosecuting Attorney, 161 S. High Street, Suite 202, Akron, OH 44308 and Sheri Bevan Walsh, Summit Count Prosecutor, 53 University Avenue, Akron, OH 44308 on this 8th day of May, 2012.

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a series of loops and a long horizontal stroke extending to the right.

Joann Sani (0037265)
Counsel of Record for Appellant Boykin