

**ORIGINAL**

IN THE SUPREME COURT OF OHIO

THEODORE JACKSON  
APPELLANT

V.

WARDEN, MARION CORRECTION INST.  
APPELLEE

: ON APPEAL FROM THE  
MARION COUNTY COURT  
: OF APPEALS, THIRD  
APPELLATE DISTRICT

: COURT OF APPEALS  
: CASE NO. 9-11-37

12-0282

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**MOTION FOR RECONSIDERATION  
OF APPELLANT THEODORE JACKSON**

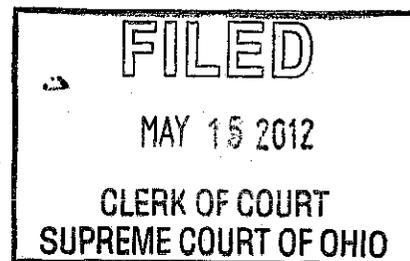
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[\*16] “ \*\*\* we find the same logic in *Fischer* to be controlling when it comes to OTHER STATUTORILY MANDATORY TERMS.” see (Slip opinion) (May 3, 2012): 2012-Ohio-1908; 2012 Ohio Lexis 1000, STATE V. HARRIS [ SUPREME COURT OF OHIO].

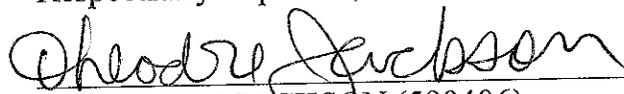
MEMORANDUM IN SUPPORT OF RECONSIDERATION

The threshold question presented by Appellant to this Supreme Court rests on STATE V. FISCHER, (2010), 128 Ohio St.3d 92 (VOID OLD LAW MANDATORY SENTENCES) see Memorandum In Support of Jurisdiction (MISOJ), at p.5, ¶4; and p.6.

The Appellant's case was not dismissed by this Supreme Court until (May 9, 2012), ergo, STATE V. HARRIS (Id.) p.1 above should be applied to the facts of this case at bar, as held by this Fundamental Court in STATE V. EVANS,(1972), 32 Ohio St.2d 185 we stated that “ ‘ application of a new rule of law to a pending appeal is not retrospective,’ and\*\*\*the new rule applie[s] to the cases pending on the announcement date.” Id. At 186, quoting STATE V. LYNN,(1966), 5 Ohio St.2d 106, 108.

Therefore, for the Supreme Court to reconsider its judgment of (May 9,2012) in light of STATE V. HARRIS (id.), I pray Justitia Piepondrous Laus Deo.

Respectfully requested,



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In Pro Se

CERTIFICATE OF SERVICE

A copy of this Motion was sent to William H. Lamb, Asst.,Att.,Gen, 441 Vine St.,1600 Carew Tower, Cincinnati, Ohio 45202, via reg. U.S. Mail this 14<sup>th</sup> day of May 2012.

  
THEODORE JACKSON, APPELLANT