

ORIGINAL

In the Supreme Court of Ohio

STATE OF OHIO

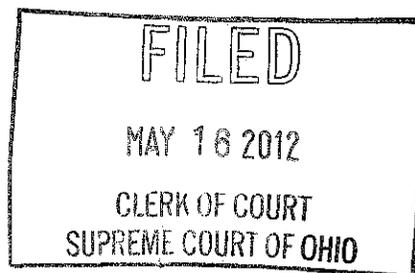
Appellee

v.

Case No. 2011-1383

KYLE RABER

Appellant



Appellee's Request For An Extension Of Time To Submit Its Merits Brief

David T. Eager (0074442)
David M. Todaro (0075851)
126 N. Walnut St.
Wooster, Ohio 44691
(330) 262-02279

*Attorneys for Appellant
Kyle Raber*

Jason B. Desiderio (0075641)
103 Falconer St.
North Tonawanda, New York 14120
(216) 410-4181
jasondesiderio@gmail.com

*Attorney for Appellee
State of Ohio*

05/15/2012 10:11:54

The State of Ohio requests a 10 day extension of time to file its merits brief pursuant to S.Ct.Prac.R 14.3(B)(2)(b). A stipulation could not be agreed to because both of Appellant's attorneys were out of the office on May 16, 2012. The State's merits brief will be filed on or before May 27, 2012.

The extension is needed because counsel for the State's wife had eye surgery late last week. The surgery required counsel and his wife to travel from Buffalo, New York to Philadelphia Pennsylvania. Counsel's wife had some difficulty during the return to Buffalo, and the related delays made it impossible for the brief to be completed on time.

Respectfully submitted,



Jason B. Desiderio
103 Falconer St.
North Tonawanda, NY 14120
(216) 410-4181
jasondesiderio@gmail.com
Attorney for Appellee
State of Ohio

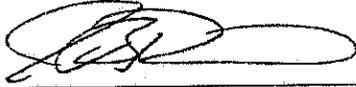
CERTIFICATE OF SERVICE

On May 16, 2012 a copy of the foregoing request was sent by regular first class mail, postage prepaid to:

David T. Eager (0074442)
David M. Todaro (0075851)
126 N. Walnut St.
Wooster, Ohio 44691

Attorneys for Appellant
Kyle Raber

Respectfully Submitted,



Jason B. Desiderio (0075641)