

IN THE SUPREME COURT OF OHIO

STATE OF OHIO, : **Case No. 12-1325**
Plaintiff - Appellee :
-vs- :
HENRY A. HOLDCROFT, :
Defendant - Appellant. :

**MEMORANDUM IN RESPONSE TO
MEMORANDUM IN SUPPORT OF JURISDICTION
OF THE SUPREME COURT OF OHIO**

Henry A. Holdcroft
#A381-888
Hocking Correctional Facility
P.O. Box 59 A-2
Nelsonville, Ohio 45764

Defendant – Appellant,
Pro Se

Jonathan K. Miller 0064743
Prosecuting Attorney
Wyandot County
134 S. Sandusky Avenue
Upper Sandusky, Ohio 43351
419-294-5878
419-294-6430 (FAX)

Counsel for Plaintiff-Appellee,
State of Ohio

FILED
AUG 23 2012
CLERK OF COURT
SUPREME COURT OF OHIO

**RESPONSE TO APPELLANT'S CLAIM THAT THIS
FELONY CASE IS OF PUBLIC OR GREAT GENERAL
INTEREST AND INVOLVES A SUBSTANTIAL
CONSTITUTIONAL QUESTION**

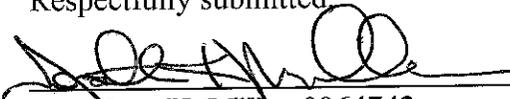
Appellant presents no compelling argument that this matter presents any issue of public or great general interest, or that it involves a substantial constitutional question.

Appellant's first through eighth assignments of error (which Appellant has renumbered and no longer coincide with the numbering of the assignments of error overruled in the Third District Court of Appeals) involve fact-driven issues, are unique to this criminal case, were fully addressed by the trial and appellate court. They are not issues of public or great general interest and do not involve a substantial constitutional question.

Appellant's ninth assignment of error involves an issue that the Third District Court of Appeals, by Judgment Entry dated August 16, 2012, has certified pursuant to App.R. 25 as follows:

Does a trial court have jurisdiction to resentence a defendant for the purpose of imposing mandatory post-release control regarding a particular conviction, when the defendant has served the stated prison term regarding that conviction, but has yet to serve the entirety of his aggregate prison sentence, when all of the convictions which led to the aggregate sentence resulted from a single indictment?

Respectfully submitted,


Jonathan K. Miller 0064743
Prosecuting Attorney
Wyandot County

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing Memorandum was served upon Defendant-Appellant, Henry A. Holdcroft, Pro Se, at his address of Hocking Correctional Facility, P.O. Box 59 A-2, Nelsonville, Ohio 45764, by ordinary U.S. Mail the 22nd day of August 2012.



Jonathan K. Miller 0064743
Wyandot County Prosecutor
134 S. Sandusky Avenue
Upper Sandusky, Ohio 43351
419-294-5878
419-294-6430 (FAX)