

ORIGINAL

IN THE SUPREME COURT OF OHIO  
Case No. 11-2134

STATE OF OHIO :  
Appellee :  
-vs- :  
DAMAAD S. GARDNER :  
Appellant :

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MOTION OF AMICUS CURIAE  
THE OFFICE OF THE CUYAHOGA COUNTY PUBLIC DEFENDER  
TO PARTICIPATE IN ORAL ARGUMENT

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Pursuant to S.Ct. Prac. R. 9.6., Amicus Curiae the Office of the Cuyahoga County Public Defender asks this Court for leave to participate in the oral argument scheduled in this case for September 26, 2012, sharing the time of Appellee. Counsel for Appellee consents to this request.

Respectfully submitted,

OFFICE OF THE CUYAHOGA COUNTY  
PUBLIC DEFENDER, AMICUS CURIAE

  
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**CERTIFICATE OF SERVICE**

A copy of the foregoing was served via U.S. mail, first-class, postage prepaid, upon Carey Ingram, Assistant Prosecuting Attorney for Montgomery County, P.O. Box 972, 301 West Third Street, Suite 500, Dayton, Ohio 45422, and upon Rebekah Neurherz, 150 North Limestone Street, Suite 218, Springfield, Ohio 45502, this 14<sup>th</sup> day of September, 2012.

  
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