

ORIGINAL



BILL MASON
CUYAHOGA COUNTY PROSECUTOR

September 28, 2012

Chief Justice Maureen O'Connor
Ohio Supreme Court
65 South Front Street
Columbus, Ohio 43215-3431

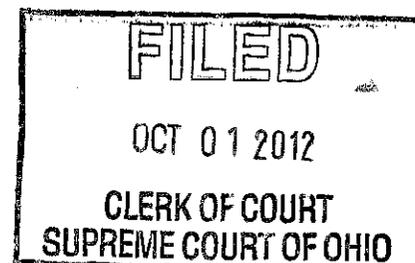
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Re: Cases on docket of
former Judge Timothy J. McGinty

Dear Chief Justice O'Connor

The Cuyahoga County Prosecutor's Office has identified two cases pending in the Ohio Supreme Court that were on former Cuyahoga County Common Pleas Judge Timothy J. McGinty's docket. You likely know that former Judge McGinty has been appointed County Prosecutor effective Monday, October 1st, 2012. Pursuant to our obligations under Ohio Prof. Conduct R. 1.12, we are providing notice to the Supreme Court of the conflict that exists due to former Judge McGinty's appointment as Prosecutor.

We are aware that representation by the State of Ohio *cannot* continue after October 1st, unless and until the defendants in these cases submit a written waiver of same. We have contacted defense counsel on each of these cases both by U.S. Mail and email to inquire as to whether or not their clients will waive the conflict. If either litigant in these cases executes the waiver, we will promptly file notice with the Supreme Court. If they do not, we are prepared to immediately seek special prosecutors/outside counsel in the case.



The cases we have identified are:

1. State v. Denny Obermiller (death penalty) 2011-0857; notice of appeal filed 5/19/2011
2. State v. John Moore 2012-1151; notice of appeal filed 7.9.2012

Thank you,

A handwritten signature in cursive script that reads "Lisa Reitz Williamson". The signature is written in black ink and is positioned above the typed name.

Lisa Reitz Williamson
Criminal Division Chief
Cuyahoga County Prosecutor's Office
Justice Center, Courts Tower
1200 Ontario Street, 9th floor
Cleveland, Ohio 44113
(216) 348-4460