

ORIGINAL

IN THE SUPREME COURT OF OHIO

State of Ohio,	:	Case No. 2012-1410
Plaintiff-Appellee,	:	On Appeal from the Hamilton
v.	:	County Court of Appeals
Eric Long,	:	First Appellate District
Defendant-Appellant.	:	Court of Appeals
	:	Case No. C-110160

Second Submission of Supplemental Authority by
Appellant Eric Long, a Minor Child

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Hamilton County Prosecutor

Office of the Ohio Public Defender

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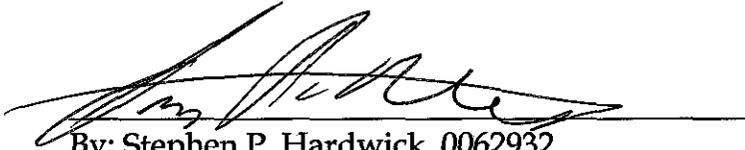
**Second Submission of Supplemental Authority by
Appellant Eric Long, a Minor Child**

Pursuant to S.Ct. Prac. R. 3.3, and with regard to the State's assertion that *Miller v. Alabama*, __ U.S. __, 132 S.Ct. 2455, 183 L.Ed. 2d 407 (2012), applies only to cases where imposing life without parole on a child is mandated by statute, Appellant Eric Long submits the following additional authority:

People v. Moffett (Oct. 12, 2012, A133032), __ Cal.App.4th __,
<http://www.courts.ca.gov/opinions-slip.htm>, 2012 WL 4841713,
(pursuant to *Miller v. Alabama*, reversing a sentence of life without parole imposed on a child for murder even though the trial court had the discretion to impose a parole-eligible sentence).

Respectfully submitted,

Office of the Ohio Public Defender



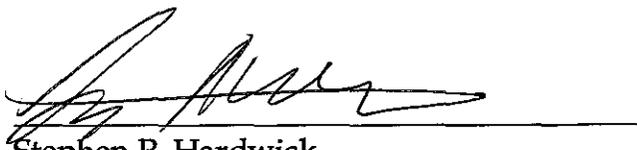
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Certification of Service

This is to certify that a copy of the foregoing was forwarded by regular U.S. Mail, postage prepaid to the office of Ronald W. Springman, Assistant Prosecuting Attorney, Hamilton County Prosecutor's Office, 230 E. 9th Street - Suite 4000, Cincinnati, Ohio 45202, this 15th day of October, 2012.



Stephen P. Hardwick
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