

IN THE SUPREME COURT OF OHIO

STATE OF OHIO,

PLAINTIFF-APPELLEE,

-vs-

JOHN W. HESS, JR.

DEFENDANT-APPELLANT.

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12-1965

Case Number: _____

C.A. No.: 11-CA-11

MOTION FOR LEAVE TO WAIVE STRICT COMPLIANCE WITH RULES OF PROCEDURE AND FOR LEAVE TO PROCEED ON A REDUCED NUMBER OF COPIES

Now comes John W. Hess, Jr., Plaintiff-Appellant, pro se, and hereby moves this Honorable Supreme Court of Ohio to grant him leave to file the accompanying "Memorandum in Support of Jurisdiction" with fewer than the number of copies required by the Rules of Practice of the Supreme Court. The Defendant-Appellant's reasons for this motion are as follows:

1. The Defendant-Appellant is preceding pro se and must follow the rules of the Ohio Department of Rehabilitation and Correction and the North Central Correctional Institution;
2. The Defendant-Appellant has limited access to the

Library and has limited financial ability to pay for copies;

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NOV 21 2012
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SUPREME COURT OF OHIO

3. The Defendant-Appellant has filed an Affidavit of Indigency and is proceeding on this appeal in forma pauperis; and,
4. Between writing up a copy of these appeal papers and then preparing another copy to serve upon counsel for the Plaintiff-Appellee, Defendant-Appellant has exhausted the means and material he had, and it would be a grievous burden for him to meet the additional number of copies required for strict compliance with the rules.

WHEREFORE, for all of the above-stated reasons, and in light of the proposition that pro se prisoner litigants should not be held to the same stringent standards imposed upon practicing attorneys, Haines v Kerner (1972), 404 U.S. 519, 520, Boag v MacDougall (1982), 454 U.S. 364, 365, Plaintiff-Appellant respectfully prays this Honorable Court to grant this motion as requested and permit Plaintiff-Appellant to proceed on a reduced number of copies.

Respectfully Submitted,

John W. Hess, Jr.

John W. Hess, Jr. (#A617963)

North Central Corr. Complex
Post Office Box 1812
Marion, Ohio 43301-1812
Defendant-Appellant, Pro se

CERTIFICATE OF SERVICE

By my signature below, I hereby certify that a true and correct copy of the foregoing was sent by regular, first-class, U.S. mail, postage-prepaid to Morrow County Prosecutor at 60 E. High Street, Mt. Gilead, Ohio 43338 on this 10 day of November 2012.

John W. Hess Jr.

Defendant-Appellant, pro se