

NO. 2011-2094

IN THE SUPREME COURT OF OHIO

APPEAL FROM
THE COURT OF APPEALS FOR CUYAHOGA COUNTY, OHIO
NO. 94965

STATE OF OHIO,

Plaintiff-Appellant

-vs-

VAN WILLIAMS,

Defendant-Appellee

STATE'S RESPONSE TO APPELLEE'S MOTION FOR RECONSIDERATION

Counsel for Plaintiff-Appellant

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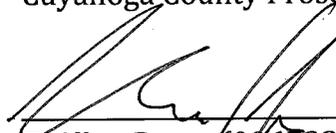
Defendant-Appellee

STATE'S RESPONSE TO APPELLEE'S MOTION FOR RECONSIDERATION

Now comes the State of Ohio, having received Appellee's Motion for Reconsideration, and respectfully submits its response to Appellee's motion. In the opinion, this Court disposed of the case, stating, "Accordingly, the judgment of the appellate court is reversed and the judgment of the trial court is reinstated." Appellee cites to App.R. 12 and the Committee Notes regarding its 1992 amendments noting that this Court has remanded matters to appellate courts to consider errors found moot. The State does not object to the remand, presuming this Court deems that Appellee's previously mooted assignments merit consideration. The State therefore has no objection to this Court remanding this case to the Eighth District to consider Appellee's assignments of error deemed moot by the appellate court if this Court finds those assignments of error to be justiciable in light of the reversal in this matter.

Respectfully submitted,

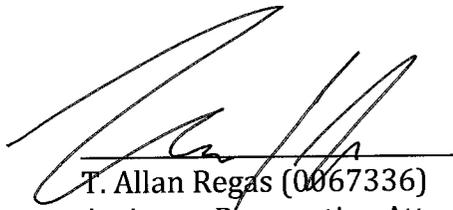
TIMOTHY J. MCGINTY
Cuyahoga County Prosecutor



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CERTIFICATE OF SERVICE

A copy of the foregoing State's Response to Appellee's Motion for Reconsideration was sent by regular U.S. Mail this 21st day of December, 2012 to Stephen A. Goldmeier, 250 East Broad St., Suite 1400, Columbus, Ohio 43215.



T. Allan Regas (0067336)
Assistant Prosecuting Attorney