

ORIGINAL

IN THE SUPREME COURT OF OHIO

STATE OF OHIO, :
 :
 Plaintiff-Appellee, : Case Nos. 2012-1325 and 2012-1441
 :
 v. : On appeal from the Wyandot
 : County Court of Appeals,
 HENRY ALLEN HOLDCROFT, : Third Appellate District
 : Case No. 16-10-13
 :
 Defendant-Appellant. :

MOTION FOR APPOINTMENT
OF THE OFFICE OF THE OHIO PUBLIC DEFENDER AS COUNSEL

Henry Allen Holdcroft requests that this Court appoint the Office of the Ohio Public Defender as counsel in the above-captioned case, which has been consolidated with Case No. 2012-1325. This Court has determined that a certified conflict exists. (Oct. 10, 2012, Entry). And this Court accepted Mr. Holdcroft's discretionary appeal regarding the ninth proposition of law contained in his memorandum in support of jurisdiction in Case No. 2012-1325. The certified-conflict issue is the same as that which was accepted for discretionary review. Mr. Holdcroft's consolidated appeals involve felony offenses. Further, Mr. Holdcroft is indigent. (See Affidavit of Indigency, attached). Mr. Holdcroft therefore requests that this Court appoint the Office of the Ohio Public Defender as counsel in his consolidated appeals.

FILED
JAN 07 2013
CLERK OF COURT
SUPREME COURT OF OHIO

Respectfully submitted,

OFFICE OF THE OHIO PUBLIC DEFENDER



KRISTOPHER A. HAINES (0080558)
Assistant State Public Defender

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COUNSEL FOR
HENRY ALLEN HOLDCROFT

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing MOTION FOR APPOINTMENT OF THE OFFICE OF THE OHIO PUBLIC DEFENDER AS COUNSEL was sent by regular U.S. mail to Jonathan K. Miller, Wyandot County Prosecuting Attorney, 137 South Sandusky Avenue, Upper Sandusky, Ohio 43351, on this 7th day of January, 2013.



KRISTOPHER A. HAINES (0080558)
Assistant State Public Defender

COUNSEL FOR
HENRY ALLEN HOLDCROFT

IN THE SUPREME COURT OF OHIO

STATE OF OHIO, :

Plaintiff-Appellee, :

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HENRY ALLEN HOLDCROFT, : On appeal from the Wyandot

Defendant-Appellant. : County Court of Appeals,

: Third Appellate District

: Case No. 16-10-13

AFFIDAVIT OF INDIGENCY

I, Henry Allen Holdcroft, do hereby state that I am without the necessary funds to pay the costs of this action for the following reasons:

I am currently incarcerated at the Hocking Correctional Facility and I have been incarcerated since 1999. I work at the prison but receive only \$15.00 dollars per month.

Under S.Ct.Prac.R. 3.7, I am requesting that this Court appoint the Office of the Ohio Public Defender as counsel.

Henry Allen Holdcroft
 HENRY ALLEN HOLDCROFT

Sworn to, or affirmed, and subscribed in my presence this 27th day of December, 2012.

A Richardson

 Notary Public
 My Commission Expires: April 14, 2015



ANNE M RICHARDSON
 NOTARY PUBLIC
 STATE OF OHIO
 Comm. Expires
 April 14, 2015
 Recorded in
 Athens County