

ORIGINAL

IN THE SUPREME COURT OF OHIO

STATE OF OHIO,	:	
	:	Case No. 2011-0122
Plaintiff-Appellee,	:	
	:	On Appeal from the Pike
v.	:	County Court of Appeals
	:	Fourth Appellate District
JEFFREY HARDIN,	:	Case No. 10CA803
	:	
Defendant-Appellant.	:	

MOTION FOR APPOINTMENT OF COUNSEL

OFFICE OF THE OHIO PUBLIC DEFENDER

ROBERT JUNK #0056250
Pike County Prosecutor
(COUNSEL OF RECORD)

PETER GALYARDT #0085439
Assistant State Public Defender

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COUNSEL FOR STATE OF OHIO

COUNSEL FOR JEFFREY HARDIN

FILED
FEB 11 2013
CLERK OF COURT
SUPREME COURT OF OHIO

MOTION FOR APPOINTMENT OF COUNSEL

Defendant-Appellant, Jeffrey Hardin, respectfully asks this Court to appoint the Office of the Ohio Public Defender to represent him in this appeal. This Court accepted Mr. Hardin's appeal and ordered that the case be held for this Court's decision in *State v. Craig*, 2006-1806. (April 20, 2011 Entry). This Court then ordered that this case no longer be held for the decision in *State v. Craig*, 2006-1806, that the Clerk order the record, and that briefing proceed under S.Ct.Prac.R. 16.02-16.04. (January 25, 2013 Entry). Mr. Hardin was represented in the Fourth District Court of Appeals, Pike County, by the Office of the Ohio Public Defender, after being found indigent and appointed counsel for appeal. (Exhibit A - February 2, 2010 Pike County Court of Common Pleas Appointment of Counsel Entry).

The Office of the Ohio Public Defender filed the jurisdictional memorandum that this Court accepted. Supreme Court Practice Rule 7.09 reads:

If the Supreme Court accepts a jurisdictional appeal involving a felony and an unrepresented party to the appeal is indigent, the Supreme Court will appoint the Ohio Public Defender or other counsel to represent the indigent party or order the court of appeals to appoint counsel as provided in S.Ct.Prac.R. 7.01(D)(2).

This Court should appoint the Office of the Ohio Public Defender for this appeal. Mr. Hardin is indigent, and was appointed counsel for his direct appeal. (Exhibit A). Consequently, Mr. Hardin requests that this Court appoint the Office of the Ohio Public Defender as counsel in this case. S.Ct.Prac.R. 7.09.

Respectfully submitted,

OFFICE OF THE OHIO PUBLIC DEFENDER



PETER GALYARDT #0085439
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COUNSEL FOR JEFFREY HARDIN

CERTIFICATION OF SERVICE

A copy of the foregoing **Motion for Appointment of Counsel** was sent via regular U.S. mail, postage prepaid to the office of Robert Junk, Pike County Prosecuting Attorney, 100 East Second Street, 1st Floor, Waverly, Ohio 45690, on this 11th day of February, 2013.



PETER GALYARDT #0085439
Assistant State Public Defender

COUNSEL FOR JEFFREY HARDIN

IN THE COURT OF COMMON PLEAS, PIKE COUNTY, OHIO

STATE OF OHIO
Plaintiff

CASE NO.

-vs-

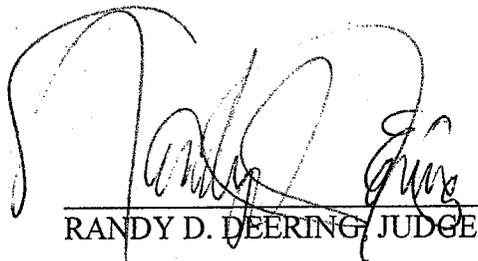
APPOINTMENT OF COUNSEL

JEFFREY HARDIN
Defendant

Upon motion of Defendant, by and through counsel, the Court finds that the defendant is indigent and unable to retain private counsel and the Court therefore appoints Cahoon Spencer of the Ohio Public Defender's Office, 8 East Long Street, Columbus, Ohio, to represent Defendant as provided by law.

The Clerk is directed to mail a copy of this entry to the Prosecuting Attorney, the Public Defender, and the defendant.

IT IS SO ORDERED.


RANDY D. DEERING, JUDGE

02-02-10

