

ORIGINAL

In The Supreme Court of Ohio

State of Ohio, :
 Appellee, : Case No. 12-1644
 -vs- : Appeal taken from Trumbull
 County Court of Common Pleas
 Nathaniel Jackson, : Case No. CR 01-CR-794
 Appellant. : This is a death penalty case

APPELLANT NATHANIEL JACKSON'S
MOTION FOR A STAY OF EXECUTION

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Appellee, : **Case No. 12-1644**
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 : **County Court of Common Pleas**
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Appellant, Nathaniel Jackson moves this Court to stay his execution set for August 15, 2013, pending disposition of his direct appeal to this Court.

Appellant has a right to a direct appeal to the Ohio Supreme Court under Ohio Const. art. IV, § 2 (B)(2)(c). Every defendant who has a right of direct review from a sentence of death is entitled to have that review before paying the ultimate penalty. *McDonald v. Missouri*, 464 U.S. 1306 (1984). Accordingly, a stay is warranted to permit Appellant sufficient time to seek direct review of his convictions and sentences. *See State v. Steffen*, 70 Ohio St.3d 399, syl. (1994) (capital defendant entitled to stay of execution to seek both direct review and state post-conviction remedies).

The record was filed on January 2, 2013. Appellant's appeal will not be completed by August 15, 2013. Appellant seeks this stay of execution to allow a thorough and considered review of his conviction and sentence.

Therefore, Appellant Nathaniel Jackson requests this Court to stay his execution, pending the final disposition of his appeal.

Respectfully submitted,

Office of the
Ohio Public Defender

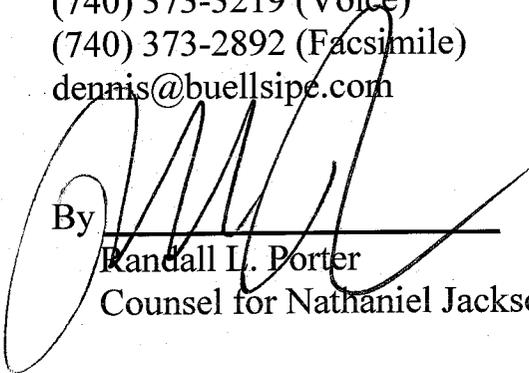
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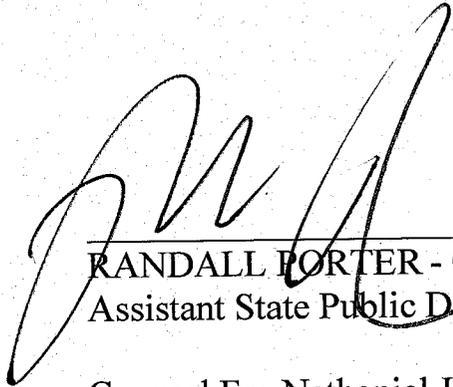
By



Randall L. Porter
Counsel for Nathaniel Jackson

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing *Appellant Nathaniel Jackson's Motion For A Stay Of Execution* was forwarded by electronic and regular U.S. Mail to Luwayne Annos, Assistant Prosecuting Attorney, 160 High Street, N.W., 4th Floor Administration Building, Warren, Ohio 44481 on this the 3rd day of April, 2012.



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