FILED
APR 04 2013
CLERK OF COURT
SUPREME COURT OF OHIO

The Supreme Court of Ohio

To the Clerk of Court of Common Pleas for

Summit County

ORDER TO CERTIFY RECORD
IN DEATH PENALTY CASE

S.C. Case No. 2013-0536
C.P. Case No. CR 12 05 1508

The State of Ohio v. Dawud E. Spaulding

You are hereby ORDERED, pursuant to Rule 11.04 of the Rules of Practice of the Supreme Court of Ohio, to prepare and forward the record in the above-captioned case to the Clerk's Office of the Supreme Court, no later than 90 days from the date of this entry, unless the Supreme Court grants an extension of time under Rule 11.04(C)(1).

Pursuant to Rule 11.03(A) and 11.04(B) the record shall consist of the following:

- The original papers filed in the trial court;
- The transcript of proceedings, and computer diskettes of the transcript, if available;
- A certified copy of the docket and journal entries prepared by the clerk of the trial court; and

Pursuant to Rule 11.03(A)(3) the custodian of the record shall only transmit audio exhibits, video exhibits, and documents such as papers, maps, or photographs. Pursuant to 11.03(A)(2) no other physical exhibits shall be transmitted unless directed to do so by the Clerk of the Supreme Court.

You are further ORDERED, pursuant to Rule 11.04(B)(1), to number the documents and exhibits comprising the record; to prepare an index of the documents and exhibits, correspondingly numbered and identified; to briefly describe all exhibits listed in the index; and to send a copy of the index to all counsel of record in the case and transmit the index with the record to the Clerk of the Supreme Court.

You are further ORDERED, pursuant to Rule 11.04(D), to make a copy of the record and retain the copy for use in any postconviction proceeding. Pursuant to this Court's order in *In re: Reimbursement to Trial Court Clerks for Duplication of Death Penalty Records* (January 25, 1999), a trial court clerk shall be permitted reimbursement to the following extent: five cents per page for photocopying the original papers, transcript of proceedings, and documentary exhibits; the actual costs of duplicating photographs, videotapes, and audiotapes that are part of the record. Any request for reimbursement shall be filed simultaneously with the filing of the record, and reimbursement shall be subject to the availability of funds appropriated by the General Assembly.

Maureen O'Connor
Chief Justice