

IN THE SUPREME COURT OF OHIO

STATE OF OHIO,	*	S.C. No. 2013-0842
Plaintiff-Appellee	*	
	*	On appeal from the
-vs-	*	Lucas County Court of
	*	Appeals, Sixth Appellate
	*	District, Court of Appeals
JORGE ROJAS	*	Case No. L-11-1276
	*	
Defendant-Appellant.	*	

**MOTION OF STATE OF OHIO TO STRIKE NOTICE OF APPEAL AND
MEMORANDUM IN SUPPORT OF JURISDICTION FOR FAILURE TO SERVE SUCH
PLEADINGS UPON THE STATE OF OHIO**

JULIA R. BATES, PROSECUTING ATTORNEY
LUCAS COUNTY, OHIO

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ON BEHALF OF PLAINTIFF-APPELLEE,
STATE OF OHIO

Jorge Rojas, Prisoner No. A 614-287
Ross Correctional Inst.
P. O. Box 7010
16149 S. R. 104
Chillicothe, Ohio 45601
Phone No: (740) 774-7050

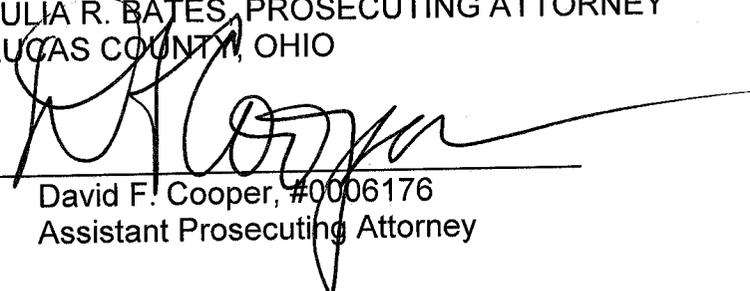
DEFENDANT-APPELLANT, Jorge Rojas, PRO SE

FILED
JUN 03 2013
CLERK OF COURT
SUPREME COURT OF OHIO

Plaintiff-Appellee, the State of Ohio moves the court, pursuant to S.Ct.Prac.R. 3.11(D)(1) to strike the notice of appeal and the memorandum in support of jurisdiction filed by defendant-appellant, Jorge Rojas ("defendant") on May 24, 2013, for reason that, although defendant signed a certification that both pleadings were sent to the undersigned at his correct address on May 15, 2012, defendant failed to do so. The undersigned did not discover that defendant had filed such pleadings with this court until May 30, 2013, when he checked this court's online docket upon being informed in a pleading that defendant filed in the court of appeals, that defendant had also filed an appeal to this court.

Respectfully submitted,

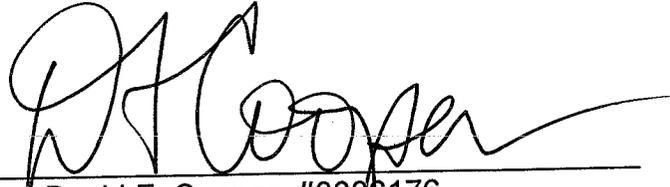
JULIA R. BATES, PROSECUTING ATTORNEY
LUCAS COUNTY, OHIO

By: 

David F. Cooper, #0006176
Assistant Prosecuting Attorney

CERTIFICATION

This is to certify that a copy of the foregoing motion to strike was sent via ordinary U.S. Mail this 31st day of May, 2013, to Jorge Rojas, Prisoner No. A 614-287, Ross Correctional Inst., P. O. Box 7010, 16149 S. R. 104, Chillicothe, Ohio 45601, Defendant-Appellant, pro se.


David F. Cooper, #0006176
Assistant Prosecuting Attorney