

ORIGINAL

IN THE SUPREME COURT OF OHIO

| | | |
|---------------------|---|-------------------------|
| STATE OF OHIO, |) | SUPREME COURT CASE |
| |) | NO. 2013-0251 |
| Appellant, |) | |
| |) | ON APPEAL FROM THE |
| vs. |) | COURT OF APPEALS, NINTH |
| |) | APPELLATE DISTRICT |
| CARL M. MORRIS, JR. |) | 09CA0022-M |
| |) | |
| Appellee. |) | MEDINA COUNTY COURT |
| |) | OF COMMON PLEAS |
| |) | CASE NO. 08CR0408 |

MOTION TO WITHDRAW
MOTION TO APPOINT APPELLATE COUNSEL

FILED
SEP 16 2013
CLERK OF COURT
SUPREME COURT OF OHIO

DAVID C. SHELDON (#0040523)
669 W. Liberty Street
Medina, Ohio 44256
Tel: (330) 723-8788
Fax: (330) 723-4788
Email: david@davidsheldonlaw.net

DEAN HOLMAN (#0020915)
Prosecuting Attorney, Medina County

COUNSEL FOR APPELLEE

MATTHEW KERN (#0086415)
Assistant Prosecuting Attorney
Medina County Prosecutor's Office
72 Public Square
Medina, Ohio 44256
330-723-9536
330-723-9532 fax

JOHN MURPHY
Executive Director, Ohio Prosecuting
Attorneys Association

COUNSEL FOR APPELLANT

JOSEPH T. DETERS (#0012084)
Prosecuting Attorney

TIMOTHY J. MCGINTY
Prosecuting Attorney, Cuyahoga County

RACHEL LIPMAN CURRAN (#0078850)
Assistant Prosecuting Attorney
230 East Ninth Street, Ste. 4000
Cincinnati, Ohio 45202
Tel: (513) 946-3091
Fax No. (513) 946-3021

DANIEL VAN (#0084614)
Assistant Prosecuting Attorney
Cuyahoga County Prosecutor's Office
The Justice Center
1200 Ontario Street
Cleveland, Ohio 44113
216-443-7800

**COUNSEL FOR AMICUS CURIAE,
OHIO PROSECUTING ATTORNEY'S**

**COUNSEL FOR AMICUS CURIAE,
CUYAHOGA COUNTY PROSECUTOR'S
OFFICE**

RECEIVED
SEP 16 2013
CLERK OF COURT
SUPREME COURT OF OHIO

The Appellee herein, by and through counsel, respectfully withdraws his requests that this Honorable Court appoint him appellate counsel pursuant to Rules 3.7 and 2.2(D)(2) of the Supreme Court Rules of Practice. Mr. Morris is currently employed and hereby withdraws said Motion.

Respectfully requested,



DAVID C. SHELDON #0040523
Attorney for Appellee
669 W. Liberty Street
Medina, Ohio 44256
Telephone: 330-723-8788
Fax: 330-723-4788
david@davidsheldonlaw.net

CERTIFICATE OF SERVICE

A copy of the foregoing was sent by regular U.S. mail this 13th day of September 2013 to the following:

DEAN HOLMAN (#0020915)
Prosecuting Attorney, Medina County

TIMOTHY J. MCGINTY
Prosecuting Attorney, Cuyahoga County

MATTHEW KERN (#0086415)
Assistant Prosecuting Attorney
Medina County Prosecutor's Office
72 Public Square
Medina, Ohio 44256
330-723-9536
330-723-9532 fax

DANIEL VAN (#0084614)
Assistant Prosecuting Attorney
Cuyahoga County Prosecutor's Office
The Justice Center
1200 Ontario Street
Cleveland, Ohio 44113
216-443-7800

COUNSEL FOR APPELLANT

JOHN MURPHY
Executive Director, Ohio Prosecuting
Attorneys Association

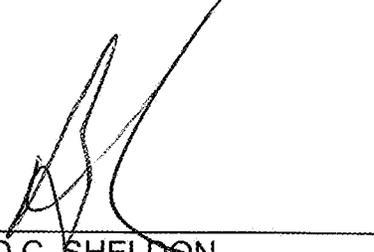
**COUNSEL FOR *AMICUS CURIAE*,
CUYAHOGA COUNTY PROSECUTOR'S
OFFICE**

JOSEPH T. DETERS (0012084P)
Prosecuting Attorney

RACHEL LIPMAN CURRAN (#0078850P)

Assistant Prosecuting Attorney
230 East Ninth Street, Ste. 4000
Cincinnati, Ohio 45202
Tel: (513) 946-3091
Fax No. (513) 946-3021

**COUNSEL FOR *AMICUS CURIAE*,
OHIO PROSECUTING ATTORNEYS
ASSOCIATION**

A handwritten signature in black ink, appearing to read 'D. Sheldon', is written over a horizontal line. The signature is stylized and somewhat cursive.

DAVID C. SHELDON
Attorney for Defendant