

IN THE SUPREME COURT OF OHIO

STATE OF OHIO, : CASE NO. 2013-0332
 Appellee, :
 vs. :
 DONALD LEE JOHNSON, :
 Appellant. :

On Appeal from the Court of Appeals of Butler County,
Case No. CA2011-11-212

**APPELLEE'S MOTION TO RESCHEDULE
ORAL ARGUMENT**

RECEIVED
 NOV 12 2013
 CLERK OF COURT
 SUPREME COURT OF OHIO

FILED
 NOV 12 2013
 CLERK OF COURT
 SUPREME COURT OF OHIO

Attorneys for Appellee:

MICHAEL T. GMOSER (0002132)
Butler County Prosecuting Attorney

MICHAEL A. OSTER, JR. (0076491)
Assistant Prosecuting Attorney
and Chief, Appellate Division

LINA N. ALKAMHAWI (0075462)
[Counsel of Record]

Assistant Prosecuting Attorney
Government Services Center
315 High Street, 11th Floor
Hamilton, Ohio 45011
Telephone: (513) 887-3474
Facsimile: (513) 887-3748
alkamhawiln@butlercountyohio.org

Attorney for Appellant:

Office of the Ohio Public Defender
E. KELLY MIHOCIK (0077745)
[Counsel of Record]

Assistant State Public Defender
250 E. Broad St. Suite 1400
Columbus, Ohio 43215
Telephone: (614) 466-5394
Facsimile: (614) 752-5167
kelly.mihocik@opd.ohio.gov

REQUEST FOR RESCHEDULING

Now comes Appellee and requests that oral argument scheduled in this matter for January 8, 2014, be rescheduled for another day. Counsel of record for Appellee in this case is also co-counsel in the capital case of *State v. Osie*, S.Ct. No. 2010-1105. On October 31, 2013, this Honorable Court scheduled oral argument for the *Osie* capital case for January 8, 2014.

In the interest of effectively representing the State of Ohio, the undersigned counsel requests that oral argument in the matter at bar be rescheduled. Currently, undersigned counsel of record will appear before this Court on January 8, 2014 on two cases, including a capital case. As such, Appellee requests that oral argument be rescheduled.

Respectfully submitted,

MICHAEL T. GMOSE (0002132)
Butler County Prosecuting Attorney

MICHAEL A. OSTER, JR. (0076491)
Assistant Prosecuting Attorney
Chief, Appellate Division



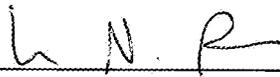
LINA N. ALKAMHAWI (0075462)
Assistant Prosecuting Attorney
[*Counsel of Record*]
Government Services Center
315 High Street, 11th Floor
Hamilton, Ohio 45012-0515
Telephone: (513) 785-5193
Alkamhawiln@butlercountyohio.org

PROOF OF SERVICE

This is to certify that a copy of the foregoing was sent to Attorney for Appellant:

E. Kelly Mihocik
Assistant State Public Defender
250 E. Broad Street, Suite 1400
Columbus, Ohio 43215

by U.S. ordinary mail this 7th day of November, 2013.



LINA N. ALKAMHAWI (0075462)
Assistant Prosecuting Attorney