

IN THE SUPREME COURT OF OHIO

STATE OF OHIO	:	
Plaintiff-Appellee,		Case No. 14-0151
v.	:	
JOHN W. LONG,	:	
Defendant-Appellant.	:	

APPELLANT'S MOTION TO DISMISS

Now comes John W. Long in pro se and respectfully requests that this Honorable Court Dismiss his Notice of Appeal and Memorandum In Support of Jurisdiction that was filed in this Court on January 28, 2014.

On December 23, 2013 the First District Court of Appeals dismissed Appellant's appeal for failure to request that a transcript of the proceeding be filed. Appellant filed a application for reconsideration in that court and in lieu of that application being disposed of, Appellant filed a timely notice of appeal in this Court. On January 23, 2014 the First District Court of Appeals granted Appellant's reconsideration thereby making Appellant's notice of appeal in this Court moot. Therefore, Appellant respectfully requests that that notice of appeal be dismissed.

Respectfully Submitted,

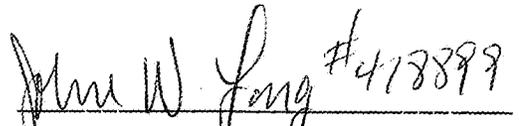
*John W. Long* #473-399  
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 John W. Long #478-899  
 Chillicothe Corr. Inst.  
 P.O. Box 5500  
 Chillicothe, Ohio 45601-5500

**FILED**  
 FEB 06 2014  
 CLERK OF COURT  
 SUPREME COURT OF OHIO

**RECEIVED**  
 FEB 06 2014  
 CLERK OF COURT  
 SUPREME COURT OF OHIO

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was sent to the Hamilton County Prosecutor's Office at 230 E. Ninth Street, Ste. 4000, Cincinnati, Ohio 45202 on this 5th day of February 2014. This was sent by regular mail.

  
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John W. Long Y478-899

**IN THE COURT OF APPEALS  
FIRST APPELLATE DISTRICT OF OHIO  
HAMILTON COUNTY, OHIO**

STATE OF OHIO,  
Appellee,

APPEAL NO. C-130566  
C-130605  
TRIAL NO. B-0402803

vs.

ENTRY GRANTING  
RECONSIDERATION

JOHN W. LONG,  
Appellant.

This cause came on to be considered upon the application of the appellant for reconsideration of the dismissal entered herein.

The Court finds that the application is well taken and is granted. The entry of dismissal filed on December 23, 2013 is set aside and held for naught.

The Court further finds that the expectation for a transcript of proceedings was based solely on appellant's docket statement filed on September 3, 2013. Since appellant believed that a transcript of proceedings would not be needed to demonstrate his assignments of error, a transcript of proceedings is dispensed with, and the appellant shall have until February 24, 2014 to file his brief. Appellee shall have until March 27, 2014 to file its brief.

To the clerk:

Enter upon the journal of the court on JAN 23 2014 per order of the court.

By: \_\_\_\_\_

Presiding Judge

(Copies sent to all counsel)