

ORIGINAL

IN THE SUPREME COURT OF OHIO

14-0326

State Ex Rel, David Arnold,
Petitioner

vs.

Edward Sheldon, Warden,
Toledo Correctional Institution
Respondent

)
) CASE No. _____
) C.A. No. C0900516
) T.C. No. B0805617
)
)

PETITION FOR WRIT OF HABEAS CORPUS

Now comes the Petitioner, David Arnold, in the above styled case, acting in pro se, pursuant and herein respectfully moves this Honorable Court, pursuant to R.C. 2725.01, R.C. 2945.75, R.C. 149.43, Criminal Rule 55, and Supported Special Appearance to wit, the United States Constitution, Section 5 Article 1, Section 16, Article 1 of the Ohio Constitution for the issuance of a Habeas Corpus to compel the release of Petitioner from his unlawful imprisonment and restraint of liberty by Edward Sheldon, Warden of the Toledo Correctional Institution in Lucas County, Ohio. Petitioner's Memorandum in Support is attached hereto.

Respectfully submitted,

David Arnold

David Arnold
Inmate # 606-160
Toledo Correctional Institution
2001 East Central Avenue
Toledo, Ohio 43608

DEFENDANT-APPELLANT, PRO SE

RECEIVED
MAR 03 2014
CLERK OF COURT
SUPREME COURT OF OHIO

RECEIVED
FEB 14 2014
CLERK OF COURT
SUPREME COURT OF OHIO

FILED
MAR 03 2014
CLERK OF COURT
SUPREME COURT OF OHIO

MEMORANDUM IN SUPPORT

(A). First and foremost it must be noted that the Petitioner seeks the writ of habeas corpus, based upon major structural errors in nature that cannot be corrected related to the actual jury verdict forms, moreover it must be made known that the petitioner has just discovered the errors in December 2013~~4~~ after he received the actual jury verdict forms from the Hamilton County, Ohio Clerk of Courts.

Furthermore, petitioner did not waive challenge to (verdict forms) by failing to object in trial, where error in verdict forms was structural in nature. State had sole responsibility to call to court's attention errors in verdict forms which prejudiced state.

(B). The State, and or the Hamilton County, Ohio prosecuting attorney has caused the jurors in criminal case number B0805617 to create a major miscarriage of justice that cannot be corrected, the (actual official jury verdict forms) were drawn in violation of the petitioner's constitutional rights to a fair trial by jury. Moreover, the state clearly assigned the computer generated words (guilty) on all jury verdict forms, which deprived the jurors of the duty they were instructed to follow according to law, and or the trial court's jury instructions. As stated above the following structural errors with the verdict forms as follows:

1. The word (guilty) was already computer printed on all verdict forms.
2. There is no (criminal offense) listed, or ORC statutes, on any jury verdict forms.
3. The actual jury verdict forms found the petitioner (guilty of untitled counts) which violates the petitioner's right to fair trial due to the verdict forms being drawn in violation of law.
4. The (jury verdict forms as drawn) only needed the required (12) signatures of the jurors, because the (words guilty) were already submitted prior to their deliberations. This is known as a manifest miscarriage of justice and or jury tampering.

(C). The petitioner has also just discovered that the actual criminal complaints, arrest warrants, and affidavits, and/or probable cause supported by oath, or affirmation, has been ordered sealed by the court. The petitioner has attempted to obtain these public records from the Hamilton County, Ohio

Clerk of Courts, who returned Notice that those specific records were sealed by the trial court. These are public records under law. This would directly violate RC 149.43.

(D). BRIEF IN SUPPORT

R.C. 2945.75: Degree of Offense; charge and verdict.

R.C. 149.43: Public Record Request

Criminal Rule 55: Duties of the Clerk of Courts

United States Constitutional Amendments:Fifth, Sixth, and Fourteenth

Ohio Constitutional Provisions: Section 16, Article I, Section 5, Article I

Cases to review in support:

State v. Woullard (Ohio App.2d, 06-25-2004) 158 Ohio App.3d 31, 813 N.E.2d 964, 2004-Ohio-3395

State v. Gleason (Ohio App. 9th Dist. 04-03-1996) 110 Ohio App.3d 240, 673 N.E.2d 985

Certified Conflict:

There is a reasonable doubt as to what crime the petitioner truly committed beyond any guarantee, due to the state creating a gross major manifest miscarriage of justice with the drafting of the official jury verdict forms, the jurors were never issued properly drawn verdict forms for deliberation, and the clerk of court's appearance docket failed to chronologically note the Not Guilty verdicts. It must be noted the verdict forms attached hereto the instant petition (only states Guilty) there is no entry space for (Not Guilty). Please review actual verdict forms.

(E). Case Summary: Criminal Case No B0805617

The Petitioner was indicted on July 25, 2008, by the Hamilton County, Ohio prosecuting attorney for the following offenses:

Count 1: Aggravated Murder, with specifications Special Felony

Count 2: Murder, with Specifications

Count 3: Having Weapons While Under Disability

On April 14, 2009 a Jury was impaneled and sworn and the trial commenced. On or about April 22, 2009 the Jury returned their verdicts, finding Petitioner Guilty of untitled counts. (See verdict forms).

On or about December 8, 2013 the Petitioner obtained official time-stamped Jury Verdict forms dated April 22, 2009 from the Hamilton County, Ohio Clerk of Courts and was shocked to discover the words **Guilty** was already computer processed prior to the jury instructions and/or their deliberations. The petitioner immediately knew that the state had created a manifest miscarriage of justice or prosecutorial misconduct that cannot be cured or corrected.

(F).

ARGUMENT:

Ground One: Nullity

The State created a major structural error that created the Jury to cause a manifest miscarriage of justice that cannot be corrected and the Entry Sentencing the Petitioner in this instant case is a Nullity. As such, the writ shall issue a Return releasing the Petitioner. The petitioner's Fifth and Fourteenth Amendments to the U.S. Constitution, and Section 16, Article 1 and Section 5, Article 1 of the Ohio Constitution has been grossly violated regarding the official jury verdict forms drafting the words GUILTY as the only choice (see jury verdict forms). Petitioner did not receive fair deliberations.

Ground Two: Unfair Trial

There is a reasonable doubt as to what specific crime the petitioner was found guilty of due to the jury verdict forms being improperly drafted, and or lacking the word NOT Guilty on the actual verdict forms. This violated Petitioner's Sixth Amendment right to the U.S. Constitution, and Section 5, Article 1 of the Ohio Constitution. Petitioner's trial by jury was so fundamentally unfair regarding the deliberations process due to the actual drafted verdict forms structural errors.

Ground Three:

The state failed to properly state the actual criminal offenses on the actual jury verdict forms which provided the jurors a choice to deliberate on counts only. At no time were the jurors provided actual language or criminal statutes. (See attached jury verdict forms).

Ground Four:

The clerk of the court disregarded criminal Rule 55 by failing to chronologically note all the verdict forms on the appearance docket, and therefore there is a reasonable doubt as to what specific crime the petitioner was found guilty of beyond a reasonable doubt. All verdicts are required to be filed within the appearance docket pursuant to Criminal Rule 32(B).

Ground Five:

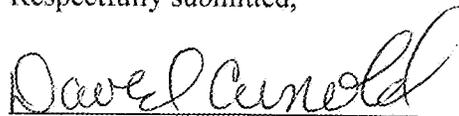
The state unfairly sealed the actual criminal arrest warrants, criminal complaints, affidavits, and/or probable cause supported by oath or affirmation. This violates R.C.159.43 of the Public Records Request. The petitioner feels the state unlawfully convicted and sentenced the petitioner in violation of his Fourth Amendment Constitutional Rights and Section 14, Article 1 of the Ohio Constitution.

(G).

CONCLUSION

Wherefore the above petitioner acting in pro se and pursuant to R.C. 2725.01 respectfully moves this Honorable Court in the interest of justice to issue a Writ of Habeas Corpus to compel the release of petitioner as a result of his unlawful imprisonment and restraint of his liberty as a deprivation by Edward Sheldon, Warden of the Toledo Correctional Institution in Lucas County, Ohio, Ohio Department of Correction.

Respectfully submitted,



David Arnold #606-160
Toledo Correctional Institution
2001 East Central Avenue
Toledo, Ohio 43608

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Petition For Writ of Habeas Corpus has been sent by regular U.S. Mail to the Office of the Prosecuting Attorney for Hamilton County at 230 East Ninth Street Cincinnati, Ohio 45202 on this _____ day of _____, 20_____.



David Arnold

AFFIDAVIT OF DAVID ARNOLD

STATE OF OHIO)
) SS
COUNTY OF LUCAS)

I, David Arnold, petitioner, acting in pro se, having been first duly sworn according to law, hereby certifies, under the penalty of perjury, that the information contained in the foregoing Petition for Writ of Habeas Corpus is true and correct to the best of my knowledge.

David Arnold
Affiant

NOTARY SERVICE

Sworn to me and subscribed in my presence this 21st day of January
in the year 20 14.



KENNETH EARL RUPERT Notary Public
NOTARY PUBLIC - OHIO
MY COMMISSION EXPIRES 5-22-2017

Kenneth Earl Rupert
1/21/2014

AFFIDAVIT OF DAVID ARNOLD

STATE OF OHIO)
) SS
COUNTY OF LUCAS)

The Petitioner of the foregoing petition for Writ of Habeas Corpus pursuant to R.C. 2725.01, discloses that he has never pursued civil litigation against any governmental agent or official in the state of Ohio.

David Arnold
Affiant

NOTARY SERVICE

Sworn to me and subscribed in my presence this 21st day of January,
in the year 20 14.

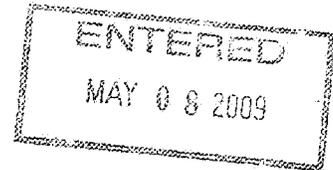


KENNETH EARL RUPERT
NOTARY PUBLIC - OHIO
MY COMMISSION EXPIRES 5-22-2017

Kenneth Earl Rupert
Notary Public
1/21/2014

THE STATE OF OHIO, HAMILTON COUNTY
COURT OF COMMON PLEAS

date: 05/05/2009
code: GJEI
judge: 109




Judge: NORBERT A NADEL

NO: B 0805617-A

STATE OF OHIO
VS.
DAVID ARNOLD

JUDGMENT ENTRY: SENTENCE:
INCARCERATION

Defendant was present in open Court with Counsel TIMOTHY MCKENNA on the 5th day of May 2009 for sentence.

The court informed the defendant that, as the defendant well knew, after defendant entering a plea of not guilty and after trial by jury, the defendant has been found guilty of the offense(s) of:

count 1: AGGRAVATED MURDER WITH SPECS #2 & #3 (DISMISS SPEC #1),
2903-01A/ORCN,SF

count 2: MURDER WITH SPECS #2 & #3 (DISMISS SPEC #1),
2903-02B/ORCN,SF, MERGED WITH COUNT #1

count 3: HAVING WEAPONS WHILE UNDER DISABILITY,
2923-13A3/ORCN,F3

The Court afforded defendant's counsel an opportunity to speak on behalf of the defendant. The Court addressed the defendant personally and asked if the defendant wished to make a statement in the defendant's behalf, or present any information in mitigation of punishment.

Defendant is sentenced to be imprisoned as follows:

count 1: CONFINEMENT: LIFE WITHOUT PAROLE
DEPARTMENT OF CORRECTIONS

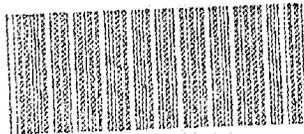
CONFINEMENT ON SPECIFICATION: 3 Yrs DEPARTMENT OF
CORRECTIONS

TO BE SERVED CONSECUTIVELY AND PRIOR TO THE SENTENCE
IMPOSED IN UNDERLYING OFFENSE IN COUNT #1.

CONFINEMENT ON SPECIFICATION #3: 5 Yrs DEPARTMENT OF
CORRECTIONS

TO BE SERVED CONSECUTIVELY AND PRIOR TO THE SENTENCE
IMPOSED IN UNDERLYING OFFENSE IN COUNT #1.

count 3: CONFINEMENT: 5 Yrs DEPARTMENT OF CORRECTIONS



D83324943

THE STATE OF OHIO, HAMILTON COUNTY
COURT OF COMMON PLEAS

date: 05/05/2009
code: GJEI
judge: 109

Judge: NORBERT A NADEL

NO: B 0805617-A

STATE OF OHIO
VS.
DAVID ARNOLD

JUDGMENT ENTRY: SENTENCE:
INCARCERATION

IF THE DEFENDANT FAILS OR REFUSES TO SUBMIT TO THE REQUIRED DNA SPECIMEN COLLECTION PROCEDURE, THE DEFENDANT WILL BE SUBJECT TO ARREST AND PUNISHMENT FOR VIOLATING THIS CONDITION OF PROBATION, COMMUNITY CONTROL, PAROLE, TRANSITIONAL CONTROL OR POST-RELEASE CONTROL.

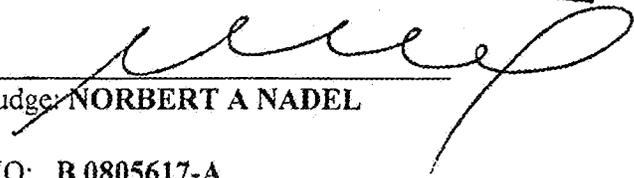
AS PART OF THE SENTENCE IN THIS CASE AS TO COUNT #3, THE DEFENDANT MAY BE SUPERVISED BY THE ADULT PAROLE AUTHORITY AFTER DEFENDANT LEAVES PRISON, WHICH IS REFERRED TO AS POST-RELEASE CONTROL, FOR UP TO THREE (3) YEARS AS DETERMINED BY THE ADULT PAROLE AUTHORITY.

IF THE DEFENDANT VIOLATES POST-RELEASE CONTROL SUPERVISION OR ANY CONDITION THEREOF, THE ADULT PAROLE AUTHORITY MAY IMPOSE A PRISON TERM, AS PART OF THE SENTENCE, OF UP TO NINE (9) MONTHS, WITH A MAXIMUM FOR REPEATED VIOLATIONS OF FIFTY PERCENT (50%) OF THE STATED PRISON TERM. IF THE DEFENDANT COMMITS A NEW FELONY WHILE SUBJECT TO POST-RELEASE CONTROL, THE DEFENDANT MAY BE SENT TO PRISON FOR THE REMAINING POST-RELEASE CONTROL PERIOD OR TWELVE (12) MONTHS, WHICHEVER IS GREATER. THIS PRISON TERM SHALL BE SERVED CONSECUTIVELY TO ANY PRISON TERM IMPOSED FOR THE NEW FELONY OF WHICH THE DEFENDANT IS CONVICTED.

THE STATE OF OHIO, HAMILTON COUNTY
COURT OF COMMON PLEAS

date: 05/05/2009
code: GJEI
judge: 109

ENTERED
MAY 08 2009


Judge: NORBERT A NADEL

NO: B 0805617-A

STATE OF OHIO
VS.
DAVID ARNOLD

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INCARCERATION

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count 2: MURDER WITH SPECS #2 & #3 (DISMISS SPEC #1),
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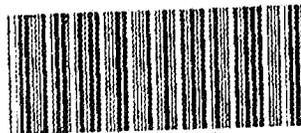
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CORRECTIONS

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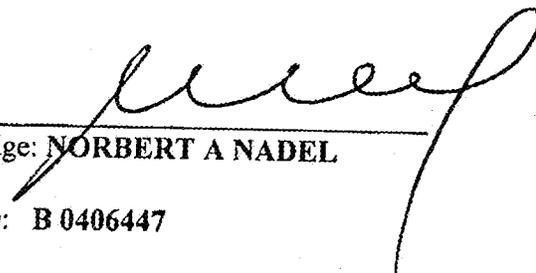
count 3: CONFINEMENT: 5 Yrs DEPARTMENT OF CORRECTIONS



D83324943

THE STATE OF OHIO, HAMILTON COUNTY
COURT OF COMMON PLEAS

date: 07/30/2008
code: GJRC
judge: 109


Judge: NORBERT A NADEL

NO: B 0406447

STATE OF OHIO
VS.
DAVID ARNOLD

JUDGMENT ENTRY REVOKING
COMMUNITY CONTROL AND
IMPOSING SENTENCE

FURTHER, IN ACCORDANCE WITH RC 2901.07, THE DEFENDANT IS REQUIRED TO SUBMIT A DNA SPECIMEN WHICH WILL BE COLLECTED AT THE PRISON, JAIL, CORRECTIONAL OR DETENTION FACILITY TO WHICH THE DEFENDANT HAS BEEN SENTENCED. IF THE SENTENCE INCLUDES ANY PERIOD OF PROBATION OR COMMUNITY CONTROL, OR IF AT ANY TIME THE DEFENDANT IS ON PAROLE, TRANSITIONAL CONTROL OR POST-RELEASE CONTROL, THE DEFENDANT WILL BE REQUIRED, AS A CONDITION OF PROBATION, COMMUNITY CONTROL, PAROLE, TRANSITIONAL CONTROL OR POST-RELEASE CONTROL, TO SUBMIT A DNA SPECIMEN TO THE PROBATION DEPARTMENT, ADULT PAROLE AUTHORITY, OR OTHER AUTHORITY AS DESIGNATED BY LAW. IF THE DEFENDANT FAILS OR REFUSES TO SUBMIT TO THE REQUIRED DNA SPECIMEN COLLECTION PROCEDURE, THE DEFENDANT WILL BE SUBJECT TO ARREST AND PUNISHMENT FOR VIOLATING THIS CONDITION OF PROBATION, COMMUNITY CONTROL, PAROLE, TRANSITIONAL CONTROL OR POST-RELEASE CONTROL.

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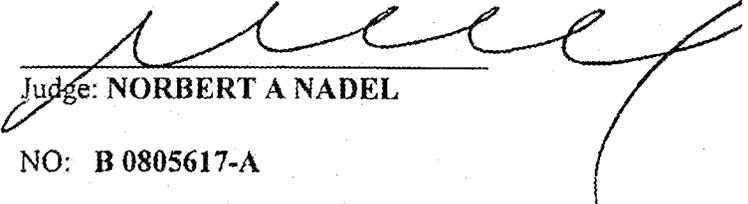
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A TRUE COPY

SENSITIVE INFORMATION REDACTED Page 2
ATTEST PATRICIA M. CLANCY CMSG325N
HAMILTON COUNTY CLERK OF COURTS
DEPUTY CLERK

THE STATE OF OHIO, HAMILTON COUNTY
COURT OF COMMON PLEAS

date: 05/05/2009
code: GJEI
judge: 109


Judge: NORBERT A NADEL

NO: B 0805617-A

STATE OF OHIO
VS.
DAVID ARNOLD

JUDGMENT ENTRY: SENTENCE:
INCARCERATION

COUNT #2 IS MERGED WITH COUNT #1 FOR THE PURPOSE OF SENTENCING.

SPECIFICATIONS #2 AND #3 TO COUNT #2 ARE MERGED WITH SPECIFICATIONS #2 AND #3 TO COUNT #1 FOR THE PURPOSE OF SENTENCING.

THE SENTENCES IN SPECIFICATIONS #2 AND #3 TO COUNT #1 ARE TO BE SERVED CONCURRENTLY WITH EACH OTHER.

THE SENTENCES IN COUNTS #1 AND #3 ARE TO BE SERVED CONSECUTIVELY TO EACH OTHER.

THE TOTAL AGGREGATE SENTENCE IS LIFE WITHOUT PAROLE PLUS TEN (10) YEARS IN THE DEPARTMENT OF CORRECTIONS.

THIS SENTENCE IS TO BE SERVED CONSECUTIVELY TO THE SENTENCE IMPOSED IN CASE B0406447.

THE DEFENDANT IS TO RECEIVE CREDIT FOR TIME SERVED.

THE DEFENDANT IS TO PAY THE COURT COSTS.

FURTHER, IN ACCORDANCE WITH RC 2901.07, THE DEFENDANT IS REQUIRED TO SUBMIT A DNA SPECIMEN WHICH WILL BE COLLECTED AT THE PRISON, JAIL, CORRECTIONAL OR DETENTION FACILITY TO WHICH THE DEFENDANT HAS BEEN SENTENCED. IF THE SENTENCE INCLUDES ANY PERIOD OF PROBATION OR COMMUNITY CONTROL, OR IF AT ANY TIME THE DEFENDANT IS ON PAROLE, TRANSITIONAL CONTROL OR POST-RELEASE CONTROL, THE DEFENDANT WILL BE REQUIRED, AS A CONDITION OF PROBATION, COMMUNITY CONTROL, PAROLE, TRANSITIONAL CONTROL OR POST-RELEASE CONTROL, TO SUBMIT A DNA SPECIMEN TO THE PROBATION DEPARTMENT, ADULT PAROLE AUTHORITY, OR OTHER AUTHORITY AS DESIGNATED BY LAW.

THE STATE OF OHIO, HAMILTON COUNTY
COURT OF COMMON PLEAS

date: 05/05/2009
code: GJEI
judge: 109

Judge: NORBERT A NADEL

NO: B 0805617-A

STATE OF OHIO
VS.
DAVID ARNOLD

JUDGMENT ENTRY: SENTENCE:
INCARCERATION

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A TRUE COPY
SENSITIVE INFORMATION REDACTED
ATTEST PATRICIA M. OLANCY
HAMILTON COUNTY CLERK OF COURTS
DEPUTY CLERK

THE STATE OF OHIO, HAMILTON COUNTY
COURT OF COMMON PLEAS

No Time
STAMP
NOR-DATE!

THE STATE OF OHIO

Case No. B 0805617

HAMILTON COUNTY, ss:

INDICTMENT FOR:

- CT1: Aggravated Murder 2903.01(A) With
Specifications SPECIAL FELONY[SF]
CT2: Murder 2903.02(B) With
Specifications[SF]
CT3: Having Weapons While Under[
Disability 2923.13(A)(3)[F3]

In the Court of Common Pleas, Hamilton County, Ohio, of the Grand Jury Term Two Thousand and Eight.

FIRST COUNT

The Grand Jurors of the County of Hamilton, in the name and by authority of the State of Ohio, upon their oaths do find and present that **DAVID ARNOLD AND CHANNEL SISCO**, on or about the 23RD day of April in the year Two Thousand and Eight at the County of Hamilton and State of Ohio aforesaid, purposely, and with prior calculation and design, caused the death of **ANTHONY GILL**, in violation of Section 2903.01(A) of the Ohio Revised Code and against the peace and dignity of the State of Ohio.

SPECIFICATION 1 TO COUNT 1

The Grand Jurors further find and specify that the said **DAVID ARNOLD** did have on or about his person, or under his control, a firearm while committing the offense of Aggravated Murder alleged in count 1 hereof.

SPECIFICATION 6 TO COUNT 1

The Grand Jurors further find and specify that the said CHANNEL SISCO committed the offense of Aggravated Murder as charged in count 1 of this indictment, a felony that included as an essential element, purposely or knowingly causing or attempting to cause death or physical harm to another, by discharging a firearm from a motor vehicle, other than a manufactured home.

SECOND COUNT

The Grand Jurors of the County of Hamilton, in the name and by authority of the State of Ohio, upon their oaths do find and present that DAVID ARNOLD AND CHANNEL SISCO, on or about the 23RD day of April in the year Two Thousand and Eight at the County of Hamilton and State of Ohio aforesaid, caused the death of ANTHONY GILL as a proximate result of the defendant knowingly committing or attempting to commit an offense of violence, to wit: FELONIOUS ASSAULT, in violation of Section 2903.11 of the Ohio Revised Code, which is a felony of the Second Degree that is not a violation of 2903.03 or 2903.04 of the Revised Code., in violation of Section 2903.02(B) of the Ohio Revised Code and against the peace and dignity of the State of Ohio.

SPECIFICATION 1 TO COUNT 2

The Grand Jurors further find and specify that the said DAVID ARNOLD did have on or about his person, or under his control, a firearm while committing the offense of Murder alleged in count 2 hereof.

SPECIFICATION 2 TO COUNT 2

The Grand Jurors further find and specify that the said DAVID ARNOLD did have on or about his person, or under his control, a firearm while committing the offense of Murder and displayed the firearm, brandished the firearm, indicated that he possessed a firearm or used it to facilitate the offense as alleged in count 2 hereof.

SPECIFICATION 2 TO COUNT 1

The Grand Jurors further find and specify that the said DAVID ARNOLD did have on or about his person, or under his control, a firearm while committing the offense of Aggravated Murder and displayed the firearm, brandished the firearm, indicated that he possessed a firearm or used it to facilitate the offense as alleged in count 1 hereof.

SPECIFICATION 3 TO COUNT 1

The Grand Jurors further find and specify that the said DAVID ARNOLD committed the offense of Aggravated Murder as charged in count 1 of this indictment, a felony that included as an essential element, purposely or knowingly causing or attempting to cause death or physical harm to another, by discharging a firearm from a motor vehicle, other than a manufactured home.

SPECIFICATION 4 TO COUNT 1

The Grand Jurors further find and specify that the said CHANNEL SISCO did have on or about her person, or under her control, a firearm while committing the offense of Aggravated Murder alleged in count 1 hereof.

SPECIFICATION 5 TO COUNT 1

The Grand Jurors further find and specify that the said CHANNEL SISCO did have on or about her person, or under her control, a firearm while committing the offense of Aggravated Murder and displayed the firearm, brandished the firearm, indicated that she possessed a firearm or used it to facilitate the offense as alleged in count 1 hereof.



SPECIFICATION 3 TO COUNT 2

The Grand Jurors further find and specify that the said DAVID ARNOLD committed the offense of Murder as charged in count 2 of this indictment, a felony that included as an essential element, purposely or knowingly causing or attempting to cause death or physical harm to another, by discharging a firearm from a motor vehicle, other than a manufactured home.

SPECIFICATION 4 TO COUNT 2

The Grand Jurors further find and specify that the said CHANNEL SISCO did have on or about her person, or under her control, a firearm while committing the offense of Murder alleged in count 2 hereof.

SPECIFICATION 5 TO COUNT 2

The Grand Jurors further find and specify that the said CHANNEL SISCO did have on or about her person, or under her control, a firearm while committing the offense of Murder and displayed the firearm, brandished the firearm, indicated that she possessed a firearm or used it to facilitate the offense as alleged in count 2 hereof.

SPECIFICATION 6 TO COUNT 2

The Grand Jurors further find and specify that the said CHANNEL SISCO committed the offense of Murder as charged in count 2 of this indictment, a felony that included as an essential element, purposely or knowingly causing or attempting to cause death or physical harm to another, by discharging a firearm from a motor vehicle, other than a manufactured home.

THIRD COUNT

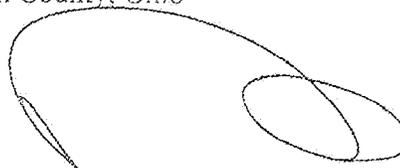
The Grand Jurors of the County of Hamilton, in the name and by authority of the State of Ohio, upon their oaths do find and present that DAVID ARNOLD, on or about the 23RD day of April in the year Two Thousand and Eight at the County of Hamilton and State of Ohio aforesaid, knowingly acquired or had or carried or used a firearm or dangerous ordnance, to wit: A FIREARM, and at the time the

defendant was under indictment for, or had been convicted of an offense involving the illegal possession of, sale of, use of, administration of, distribution, or trafficking in any drug of abuse or has been adjudicated a delinquent child for the commission of an offense that if committed by an adult, would have been an offense involving the illegal possession of, use of, sale of, administration of, distribution, or trafficking in a drug of abuse, to wit: TRAFFICKING IN DRUGS, in the Hamilton County, Ohio Court of Common Pleas, Case No. B0406447, on SEPTEMBER 23, 2004 and at the time, the defendant had not been relieved from such disability pursuant to section 2923.14 of the Revised Code, in violation of Section 2923.13(A)(3) of the Ohio Revised Code and against the peace and dignity of the State of Ohio.

NOT JOURNALIZED
NO DATE



Joseph T. Deters
Prosecuting Attorney
Hamilton County, Ohio



By: _____
Assistant Prosecuting Attorney 005722



Reported and filed this
_____ day of _____, A.D. _____

By: **Gregory Hartmann**
Clerk of Hamilton County
Common Pleas

A TRUE BILL

By: _____
Deputy

By: *Janet M. Puder*
Foreperson, Grand Jury

ENTERED
APR 22 2009

COURT OF COMMON PLEAS
CRIMINAL DIVISION
HAMILTON COUNTY, OHIO

Putz,
Nadel

STATE OF OHIO

CASE NO. B-0805617

Plaintiff

(Judge Nadel)

-vs-

DAVID ARNOLD

WORD SPECIFICATION
VERDICT placed AFTER
(Count #1) & specification # 2 verdict

Defendant

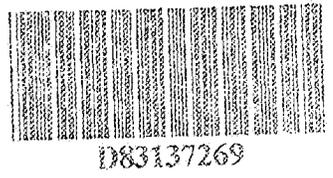
We, the Jury, in the issue joined, find the defendant, David Arnold, GUILTY of

Specification 2 to Count #1 (gun specification) as charged in Count 1 of the Indictment.

(No choice FOR NOT-GUILTY ON FORM)

- 1. *John Gull*
- 2. *Bob White*
- 3. *Louie Campbell*
- 4. *Thomas D. Young*
- 5. *Sean P. Moran*
- 6. *Nancy Peidue*

- 7. *Kisha Amal*
- 8. *Mary J. McKee*
- 9. *Eric Perry*
- 10. *David A. Schwarz*
- 11. *Donald Vetter*
- 12. *[Signature]*
Foreperson



*enter,
nadel*

COURT OF COMMON PLEAS
CRIMINAL DIVISION
HAMILTON COUNTY, OHIO

STATE OF OHIO

CASE NO. B-0805617

Plaintiff

(Judge Nadel)

-vs-

DAVID ARNOLD

Defendant

ENTERED
APR 22 2009

~~VERDICT~~

(Count #1) SPECIFICATION #3

Applied SPECIFICATION AFTER RETURN

We, the Jury, in the issue joined, find the defendant, David Arnold, GUILTY of

Specification 3 to Count #1 (gun specification) as charged in Count 1 of the Indictment.

(No choice FOR NOT-GUILTY ON THIS FORM)

1. *John [unclear]*

7. *Kate [unclear]*

2. *Ben [unclear]*

8. *Mary J. [unclear]*

3. *Lori Ballpus*

9. *Orl [unclear]*

4. *Tamara [unclear]*

10. *David A. Schwarz*

5. *Sean P. [unclear]*

11. *Donald [unclear]*

6. *Mary [unclear]*

12. *[Signature]*
Foreperson



ENTERED
APR 22 2009

Part...
Nadel

COURT OF COMMON PLEAS
CRIMINAL DIVISION
HAMILTON COUNTY, OHIO

STATE OF OHIO

CASE NO. B-0805617

Plaintiff

(Judge Nadel)

-vs-

DAVID ARNOLD

Defendant

The words were
Applied AFTER VERDICT
WAS RETURNED
↓
VERDICT
(Count #2)
↓
SPECIFICATION #2

We, the Jury, in the issue joined, find the defendant, David Arnold, GUILTY of
Specification 2 to Count 2 (gun specification) as charged in Count 2 of the Indictment.

(No choice For Not-Guilty ON FORM)

- 1. *[Signature]*
- 2. *[Signature]*
- 3. *[Signature]*
- 4. *[Signature]*
- 5. *[Signature]*
- 6. *[Signature]*

- 7. *[Signature]*
- 8. *[Signature]*
- 9. *[Signature]*
- 10. *[Signature]*
- 11. *[Signature]*
- 12. *[Signature]*
Foreperson



COURT OF COMMON PLEAS
CRIMINAL DIVISION
HAMILTON COUNTY, OHIO

ENTERED
APR 22 2009

Antony
Nadel
D

STATE OF OHIO

CASE NO. B-0805617

Plaintiff

(Judge Nadel)

-vs-

DAVID ARNOLD

Defendant

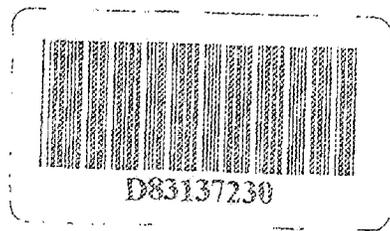
Applied Specification AFTER VERDICT
↓
VERDICT
(Count #2)
↓
SPECIFICATION #3

We, the Jury, in the issue joined, find the defendant, David Arnold, GUILTY of Specification 3 to Count 2 (gun specification) as charged in Count 2 of the Indictment.

(No choice For NOT - Guilty ON FORM)

- 1. John Zalkin
- 2. But Stutz
- 3. Lou Ballpaus
- 4. Tamarah Kowdins
- 5. Sean P. Marath
- 6. Tracy Leidel

- 7. Keith Honak
- 8. Mary J. McKee
- 9. Ed [unclear]
- 10. David A. Schwarz
- 11. Donald [unclear]
- 12. [Signature]
Foreperson



A P P E A R A N C E D O C K E T

Attorney - Plaintiff
Attorney - Defendant A NORMAN AUBIN 22907
Cur Judge - NORBERT A NADEL 109

STATE OF OHIO vs. DAVID ARNOLD

Total Deposits \$.00
Total Costs \$10,532.55

STATE OF OHIO
vs.
DAVID ARNOLD
8972 EBRO CT
CINC

OH 45231 Municipal #: ,,
Bond Amt: \$2,000,000 STRAIGHT
.00
Surety:

Race: B Age: 30 Sex: M

Filed: 7/25/2008 5 - WARRANT ON INDICTMENT
Count: 1 Disposition: DOCC DEPARTMENT OF CORRECTIONS Date: 5/08/2009
Count: 2 Disposition: MERG MERGED WITH ANOTHER COUNT Date: 5/05/2009
Count: 3 Disposition: DOCC DEPARTMENT OF CORRECTIONS Date: 5/08/2009

IMAGE	DATE	DESCRIPTION	AMOUNT
12	8/26/0808	ENTRY OF CONTINUANCE 9/30/08	
	4/23/2008	WHENOCCURRED DATE	
	4/23/2008	WHENOCCURRED DATE	
	4/23/2008	WHENOCCURRED DATE	
	7/25/2008	BCI_DATE OF ARREST	
	7/25/2008	PRECIPE FOR WARRANT FILED AND WARRANT ISSUED.	
	7/25/2008	INDICTMENT REPORTED AND FILED. DIRECT HEARING INDICTMENT FOR COUNT 1: 2903-01A ORCN AGGRAVATED MURDER WITH SPECS SPECIAL FELONY COUNT 2: 2903-02B ORCN MURDER WITH SPECIFICATIONS COUNT 3: 2923-13A3 ORCN HAVING WEAPONS WHILE UNDER DISABILITY	
	7/25/2008	WARRANT CONTINUED B 0805617-A-1	
	7/25/2008	WARRANT CONTINUED B 0805617-A-2	
	7/25/2008	WARRANT CONTINUED B 0805617-A-3	
	7/28/2008	JUDGE ASSIGNED CASE ASSIGNED TO NADEL/NORBERT/A PRIMARY	
	7/29/2008	HAMILTON COUNTY SHERIFF; I HAVE IN CUSTODY AND HAVE SERVED COPY OF INDICTMENT ON SAID DEFENDANT BY BROGAN DEPUTY	
	8/01/2008	PLEA OF NOT GUILTY ENTERED AT ARRAIGNMENT. BOND \$2,000,000-S	
	8/01/2008	WARRANT SERVED B 0805617-A-1	
	8/01/2008	WARRANT SERVED B 0805617-A-2	
	8/01/2008	WARRANT SERVED B 0805617-A-3	
	8/01/2008	DESIGNATION OF TRIAL ATTORNEY. PUBLIC DEFENDER ASSIGNED. ASSESS PUBLIC DEFENDER FEE.	
	8/04/2008	CHARGED	

A P P E A R A N C E D O C K E T

8/04/2008 CHARGED
8/04/2008 CHARGED
8/04/2008 ARRESTED DATE/TIME
8/04/2008 ARRESTED DATE/TIME
8/04/2008 ARRESTED DATE/TIME
8/06/2008 ENTRY OF CONTINUANCE
08/26/08
8/07/2008 MOTION
TO DISCLOSE IMPEACHING INFORMATION AND
PLEA BARGAINS
8/07/2008 DEFENDANT'S REQUEST FOR EVIDENCE
NOTICE.
8/07/2008 REQUEST FOR BILL OF PARTICULARS
8/07/2008 DEMAND FOR DISCOVERY
8/07/2008 MOTION TO REDUCE BOND.
8/08/2008 MOTION
FOR INDEPENDENT INVESTIGATOR
8/08/2008 MOTION
FOR INDEPENDENT AUTOPSY
9/26/2008 BILL OF PARTICULARS
9/26/2008 STATE'S RESPONSE TO DEFENDANT'S DEMAND
FOR DISCOVERY.
9/26/2008 STATE'S MOTION FOR DISCOVERY.
9/30/2008 ENTRY OF CONTINUANCE
10/15/08
10/15/2008 ENTRY OF CONTINUANCE
11/9/2008
11/13/2008 MOTION
TO CONSOLIDATE CASES FOR TRIAL.
11/20/2008 ENTRY OF CONTINUANCE
12/10/08
11/20/2008 ENTRY DENYING:
MOTION FOR INDEPENDENT INVESTIGATOR
11/20/2008 ENTRY DENYING:
MOTION FOR BOND REDUCTION
11/20/2008 ENTRY DENYING:
MOTION FOR INDEPENDENT AUTOPSY
FORENSIC EX.
11/20/2008 ENTRY GRANTING:
MOTION TO CONSOLIDATE CASES
12/10/2008 ENTRY OF CONTINUANCE
3/2/2009
2/13/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
BRITTANY ALLEN
2/13/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
MICHAEL GOSS
2/13/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
QUENTIN ARNOLD
2/13/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
RUBY BLACKMAN
2/13/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
BRITTANY ALLEN
2/13/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
CARA GAINES
2/13/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
DAN COATES
2/13/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
DARRIS JONES
2/13/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
DON HUDSON II
2/13/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
JOSH GRISSOM

A P P E A R A N C E D O C K E T

- 2/13/2009 PROSECUTOR SUBPOENA FOR WITNESS ISSUED TO MARCUS STOREY
- 2/13/2009 PROSECUTOR SUBPOENA FOR WITNESS ISSUED TO MARK BLACKMAN
- 2/13/2009 PROSECUTOR SUBPOENA FOR WITNESS ISSUED TO MIKE TRIMPE
- 2/13/2009 PROSECUTOR SUBPOENA FOR WITNESS ISSUED TO OBINNA UGWU
- 2/13/2009 PROSECUTOR SUBPOENA FOR WITNESS ISSUED TO QUINTON ZANDERS
- 2/13/2009 PROSECUTOR SUBPOENA FOR WITNESS ISSUED TO RAYSHAWN SMITH
- 2/13/2009 PROSECUTOR SUBPOENA FOR WITNESS ISSUED TO RICKY LACKEY
- 2/13/2009 PROSECUTOR SUBPOENA FOR WITNESS ISSUED TO ROBERT LENHOFF
- 2/13/2009 PROSECUTOR SUBPOENA FOR WITNESS ISSUED TO RODERICK MIDDLEBROOKS
- 2/13/2009 PROSECUTOR SUBPOENA FOR WITNESS ISSUED TO RONIKA ROCKETT
- 2/13/2009 PROSECUTOR SUBPOENA FOR WITNESS ISSUED TO RONIKA ROCKETT
- 2/13/2009 PROSECUTOR SUBPOENA FOR WITNESS ISSUED TO RUBY SMITH
- 2/13/2009 PROSECUTOR SUBPOENA FOR WITNESS ISSUED TO SARUDI BROWN
- 2/13/2009 PROSECUTOR SUBPOENA FOR WITNESS ISSUED TO SCOTT KING
- 2/13/2009 PROSECUTOR SUBPOENA FOR WITNESS ISSUED TO STEPHANIE KREMER
- 2/13/2009 PROSECUTOR SUBPOENA FOR WITNESS ISSUED TO TANASHAE DAVISON
- 2/13/2009 PROSECUTOR SUBPOENA FOR WITNESS ISSUED TO WILLIAM HARRY
- 2/17/2009 SUBPOENA FOR WITNESS RETURNED AND ENDORSED
BAD NUMBERS DON HUDSON II
- 2/17/2009 SUBPOENA FOR WITNESS RETURNED AND ENDORSED
BAD NUMBERS
SCOTT KING
- 2/17/2009 SUBPOENA FOR WITNESS RETURNED AND ENDORSED
CARA GAINES
- 2/17/2009 SUBPOENA FOR WITNESS RETURNED AND ENDORSED
QUINTON ZANDERS
- 2/17/2009 SUBPOENA FOR WITNESS RETURNED AND ENDORSED
MICHAEL GOSS
- 2/17/2009 SUBPOENA FOR WITNESS RETURNED AND ENDORSED
MARK BLACKMAN

A P P E A R A N C E D O C K E T

2/17/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
JOSH GRISSOM

2/17/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
RODERICK MIDDLEBROOKS

2/17/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
RICKY LACKEY

2/17/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
TANASHAE DAVIDSON

2/17/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
MIKE TRIMPE

2/17/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
ROBERT LENHOFF

2/17/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
OBINNA UGWU

2/17/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
DAN COATES

2/17/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
WILLIAM HARRY

2/17/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
STEPHANIE KREMER

2/17/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
DARRIS JONES

2/17/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
SARUDI BROWN

2/17/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
RAYSHAWN SMITH

2/17/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
MARCUS STOREY

2/17/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
RONIKA ROCKETT

2/17/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
BRITTANY ALLEN

2/20/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
MICHAEL GOSS

X 3/02/2009 MOTION
FOR INSPECTION AND DISCLOSURE OF GRAND
JURY TESTIMONY.

3/02/2009 ENTRY OF CONTINUANCE
4/14/09

3/10/2009 NOTICE OF ALIBI.

3/10/2009 DEFENDANT'S RESPONSE TO STATE'S DEMAND
FOR DISCOVERY.

3/10/2009 STATE'S SUPPLEMENTAL RESPONSE TO
DEFENDANT'S DEMAND FOR DISCOVERY.

3/10/2009 SERVICE OF LABORATORY REPORT.

3/12/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
BRITTANY ALLEN

3/12/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
MICHAEL GOSS

3/12/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
QUENTIN ARNOLD

A P P E A R A N C E D O C K E T

3/12/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
BRITTANY ALLEN

3/12/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
CARA GAINES

3/12/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
DAN COATES

3/12/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
DARRIS JONES

3/12/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
DON HUDSON II

3/12/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
MARCUS STOREY

3/12/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
MIKE TRIMPE

3/12/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
OBINNA UGWU

3/12/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
QUINTON ZANDERS

3/12/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
RAYSHAWN SMITH

3/12/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
RICKY LACKEY

3/12/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
ROBERT LENHOFF

3/12/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
RODERICK MIDDLEBROOKS

3/12/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
RONIKA ROCKETT

3/12/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
RONIKA ROCKETT

3/12/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
RUBY SMITH

3/12/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
SARUDI BROWN

3/12/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
SCOTT KING

3/12/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
STEPHANIE KREMER

3/12/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
TANASHAE DAVISON

3/12/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
WILLIAM HARRY

3/13/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
STEPHANIE KREMER

3/13/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
DAN COATES

3/13/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
OBINNA UGWU

A P P E A R A N C E D O C K E T

3/13/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
TANSHAE DAVISON

3/13/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
BRITTANY ALLEN

3/13/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
MARCUS STOREY

3/13/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
SARUDI BROWN

3/13/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
DARRIS JONES

3/13/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
RAYSHAWN SMITH

3/13/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
RONIKA ROCKETT

3/13/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
BAD NUMBERS
SCOTT KING

3/13/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
BAD NUMBERS
DON HUDSON II

3/13/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
CARA GAINES

3/13/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
RODERICK MIDDLEBROOKS

3/13/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
QUINTON ZANDERS

3/13/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
RICKY LACKEY

3/13/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
MIKE TRIMPE

3/13/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
ROBERT LENHOFF

3/13/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
WILLIAM HARRY

4/03/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
DARRIS JONES

4/03/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
DON HUDSAON

4/03/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
MARCUS STORY

4/03/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
RAYSHAWN SMITH

4/03/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
TANASHAE DAVIS

4/09/2009 SUBPOENA FOR WITNESS ISSUED TO
NATASHA TANKS

4/09/2009 SUBPOENA FOR WITNESS ISSUED TO
HOPE DAVIS

4/09/2009 SUBPOENA FOR WITNESS ISSUED TO
RICKEY LACKEY

A P P E A R A N C E D O C K E T

4/09/2009 SUBPOENA FOR WITNESS ISSUED TO
JASON GIBSON
4/10/2009 MOTION
IN LIMINE ON JAIL HOUSE INFORMANTS.
4/10/2009 MOTION
IN LIMINE ON AUTOPSY PHOTOS
4/10/2009 MOTION
IN LIMINE ON THREATS TO COURT,
ATTORNEYS, OR JURY
4/10/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
NATASHA TANKS
4/10/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
HOPE DAVIS
4/10/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
JASON GIBSON
4/10/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
RICKEY LACKEY
PERSON UNKNOWN NOT AT ADDRESS
4/13/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
ADRIAN DUNGY
4/14/2009 JURY IMPANELED AND SWORN
4/14/2009 CAUSE PROGRESSED
WITH JURY 1 DAY
4/14/2009 ENTRY REQUESTING OFFICIAL STENOGRAPHER
AND APPOINTING STENOGRAPHER
4/15/2009 CAUSE PROGRESSED
WITH JURY 2 DAYS
4/20/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
JIM SCHROER
4/20/2009 SUBPOENA FOR WITNESS RETURNED AND
ENDORSED
JIM SCHROER
4/21/2009 PROSECUTOR SUBPOENA FOR
WITNESS ISSUED TO
NATASHA TANKS
4/21/2009 CAUSE PROGRESSED
WITH JURY 5 DAYS
4/22/2009 JURY VERDICT OF
GUILTY CT 3, HAVING WEAPONS WHILE
UNDER DISABILITY
4/22/2009 CONVICTED BY JURY
B 0805617-A-3
4/22/2009 JURY VERDICT OF
GUILTY CT 2, MURDER
4/22/2009 CONVICTED BY JURY
B 0805617-A-2
4/22/2009 JURY VERDICT OF
GUILTY CT 1, AGG MURDER
4/22/2009 CONVICTED BY JURY
B 0805617-A-1
4/22/2009 VERDICT SPEC 3 TO CT 1, GUILTY
4/22/2009 VERDICT SPEC 3 TO CT 2, GUILTY
4/22/2009 VERDICT SPEC 2 TO CT 2, GUILTY
4/22/2009 VERDICT SPEC 2 TO CT 1, GUILTY
4/22/2009 CAUSE PROGRESSED
WITH JURY 6 DAYS
4/22/2009 CAUSE CONCLUDED 7 DAYS
4/24/2009 CLERK'S TRANSCRIPT FILING FEE
4/24/2009 CLERK'S TRANSCRIPT FILING FEE
4/24/2009 CLERK'S TRANSCRIPT FEE FOR AN INDIGENT
DEFENDANT - FILED
4/27/2009 SENTENCE DEFERRED
B 0805617-A-1
4/27/2009 SENTENCE DEFERRED
B 0805617-A-2

A P P E A R A N C E D O C K E T

4/27/2009 SENTENCE DEFERRED
B 0805617-A-3

4/27/2009 CAUSE CONCLUDED SENTENCE DEFERRED
VICTIM IMPACT STATEMENT ORDERED.

THE DEFENDANT IS REMANDED WITHOUT BOND.

WHEREUPON, THE COURT ORDERED SENTENCE
DEFERRED UNTIL MAY 5, 2009 AT 9:30 A.M.

4/28/2009 MOTION
FOR NEW TRIAL.

4/28/2009 MOTION
FOR ACQUITTAL AFTER VERDICT PURSUANT
TO CRIM. R. 29(C)

4/28/2009 MOTION
TO MODIFY VERDICT.

5/05/2009 ENTRY DENYING:
MOTION FOR A NEW TRIAL

5/05/2009 ENTRY DENYING:
MOTION TO MODIFY VERDICT

5/05/2009 ENTRY DENYING:
MOTION FOR ACQUITTAL

5/05/2009 APPLIC. REQUESTING PERMISSION TO
BROADCAST,TELEWISE,PHOTO., RECORD
COURTROOM PROCEEDINGS.
WKRC TV

5/05/2009 APPLIC. REQUESTING PERMISSION TO
BROADCAST,TELEWISE,PHOTO., RECORD
COURTROOM PROCEEDINGS.
WXIX

5/05/2009 APPLIC. REQUESTING PERMISSION TO
BROADCAST,TELEWISE,PHOTO., RECORD
COURTROOM PROCEEDINGS.
WCPOTV

5/05/2009 ENTRY APPOINTING APPELLATE COUNSEL.

5/08/2009 SENTENCED
COUNT 1: AGGRAVATED MURDER WITH SPECS
#2 & #3(DISM SPEC #1)
CONFINEMENT: LIFE
DEPARTMENT OF CORRECTIONS
LIFE WITHOUT PAROLE
CONFINEMENT ON SPECIFICATION: 3 YRS
TO BE SERVED CONSECUTIVELY AND PRIOR
TO THE SENTENCE IMPOSED IN UNDERLYING
OFFENSE IN COUNT #1. CONFINEMENT ON
SPECIFICATION #3: 5YRS DEPARTMENT OF
CORRECTIONS TO BE SERVED CONSECUTIVELY
AND PRIOR TO THE SENTENCE IMPOSED IN
UNDERLYING OFFENSE IN COUNT #1.

5/08/2009 SENTENCED
COUNT 3: HAVING WEAPONS WHILE UNDER
DISABILITY
CONFINEMENT: 5 YRS
DEPARTMENT OF CORRECTIONS

5/08/2009 JUDGMENT ENTRY: SENTENCE:
INCARCERATION
LIFE COUNT #2 IS MERGED WITH COUNT #1
FOR THE PURPOSE OF SENTENCING.

SPECIFICATIONS #2 AND #3 TO COUNT #2
ARE MERGED WITH SPECIFICATIONS #2 AND
#3 TO COUNT #1 FOR THE PURPOSE OF
SENTENCING.

THE SENTENCES IN SPECIFICATIONS #2 AND
#3 TO COUNT #1 ARE TO BE SERVED
CONCURRENTLY WITH EACH OTHER.

THE SENTENCES IN COUNTS #1 AND #3 ARE
TO BE SERVED CONSECUTIVELY TO EACH
OTHER.

A P P E A R A N C E D O C K E T
THE TOTAL AGGREGATE SENTENCE IS LIFE
WITHOUT PAROLE PLUS TEN (10) YEARS IN
THE DEPARTMENT OF CORRECTIONS.

THIS SENTENCE IS TO BE SERVED
CONSECUTIVELY TO THE SENTENCE IMPOSED
IN CASE B0406447.

THE DEFENDANT IS TO RECEIVE CREDIT FOR
TIME SERVED.

THE DEFENDANT IS TO PAY THE COURT
COSTS.

5/08/2009 CLERK'S TRANSCRIPT FEE FOR AN INDIGENT
DEFENDANT - FILED
5/09/2009 ENTRY APPROVING COUNSEL FEES
\$10,100
5/12/2009 ENTRY ALLOWING ADDITIONAL COMPENSATION
7/04/2009 ENTRY APPROVING COUNSEL FEES
\$5,652.
7/23/2009 NOTICE OF APPEAL FILED AND MOTION FOR
DELAYED APPEAL
NO. C090516 COPY SENT TO HAMILTON
COUNTY PROSECUTOR
8/19/2009 TRANSCRIPT OF PROCEEDINGS 9 VOLUMES
C090516
9/29/2009 COURT OF APPEALS OF HAMILTON COUNTY
CASE NO.
C 0900516, TRANSCRIPT OF DOCKET AND
JOURNAL ENTRIES FILED
12/07/2009 FILING
11/19/2010 JUDGMENT ENTRY AFFIRMING JUDGMENT OF
TRIAL COURT (B0805617A) (C 0900516)

02/03/2014

Toledo Correctional Institution

Inmate Demand Statement (Summary)

Inmate Name: ARNOLD, DAVID
Lock Location: ToCI,A4,W,T,,0002

Number: A606160

Date Range: 08/04/2013 Through 02/04/2014

Beginning Account Balances:

Ending Account Balances:

	Saving	Debt	Payable		Saving	Debt	Payable
Electronics Usage	\$0.00	\$0.00	\$0.00	Electronics Usage C	\$0.00	\$0.00	\$1.00
Pos Exemption	\$15.00	\$0.00	\$0.00	Pos Exemption	\$15.00	\$0.00	\$0.00
Inmate's Personal	\$22.66	\$0.00	\$0.00	Inmate's Personal A	\$44.92	\$0.00	\$0.00
Begin Totals	\$37.66	\$0.00	\$0.00	End Totals	\$59.92	\$0.00	\$1.00

Transaction Date / Inst.	Transaction Amount	Description	Comment	Saving Balance	Debt Balance	Payable Balance
08/09/2013	\$16.00	State Pay	State Pay	\$53.66	\$0.00	\$0.00
ToCI						
08/09/2013	(\$1.00)	Electronics Usage Charge	Electronic Usage Charge	\$52.66	\$0.00	\$1.00
ToCI						
08/12/2013	(\$49.82)	Commissary Sale	Ticket Number 218723	\$2.84	\$0.00	\$1.00
ToCI						
08/15/2013	(\$0.40)	Postage Charges (USPS)	additional postage	\$2.44	\$0.00	\$1.00
ToCI						
08/22/2013	\$20.00	OffConnect Kiosk Deposit	4657331171131679027/BR OOKS, TONIA	\$22.44	\$0.00	\$1.00
ToCI						
09/01/2013	(\$15.00)	Inmate's Personal Account	POS Exemption Transfer	\$7.44	\$0.00	\$1.00
ToCI						
09/01/2013	\$15.00	Pos Exemption	POS Exemption Transfer	\$22.44	\$0.00	\$1.00
ToCI						
09/03/2013	\$60.00	OffConnect Kiosk Deposit	4667300373368168754/JO NES, STACY	\$82.44	\$0.00	\$1.00
ToCI						
09/03/2013	\$60.00	OffConnect Kiosk Deposit	4667300358033793330/BR OOKS, TONIA	\$142.44	\$0.00	\$1.00
ToCI						
09/03/2013	(\$118.73)	Commissary Sale	Ticket Number 220779	\$23.71	\$0.00	\$1.00
ToCI						
09/06/2013	\$16.00	State Pay	State Pay	\$39.71	\$0.00	\$1.00
ToCI						
09/06/2013	(\$1.00)	Electronics Usage Charge	Electronic Usage Charge	\$38.71	\$0.00	\$2.00
ToCI						

09/06/2013	(\$2.00) Payment to Treasurer, State of Ohio		\$38.71	\$0.00	\$0.00
ToCI					
09/14/2013	\$40.00 OffConnect Kiosk Deposit	4689330580190945587/Brooks, Tonia	\$78.71	\$0.00	\$0.00
ToCI					
09/16/2013	\$35.00 OffConnect Kiosk Deposit	4689331987027616051/Brooks, Tonia	\$113.71	\$0.00	\$0.00
ToCI					
09/16/2013	(\$89.54) Commissary Sale	Ticket Number 222293	\$24.17	\$0.00	\$0.00
ToCI					
10/01/2013	(\$15.00) Inmate's Personal Account	POS Exemption Transfer	\$9.17	\$0.00	\$0.00
ToCI					
10/01/2013	\$15.00 Pos Exemption	POS Exemption Transfer	\$24.17	\$0.00	\$0.00
ToCI					
10/03/2013	(\$0.05) Copy Charges	library copies	\$24.12	\$0.00	\$0.00
ToCI					
10/04/2013	\$16.00 State Pay	State Pay	\$40.12	\$0.00	\$0.00
ToCI					
10/04/2013	(\$1.00) Electronics Usage Charge	Electronic Usage Charge	\$39.12	\$0.00	\$1.00
ToCI					
10/07/2013	(\$39.10) Commissary Sale	Ticket Number 223682	\$0.02	\$0.00	\$1.00
ToCI					
10/20/2013	\$70.00 OffConnect Kiosk Deposit	4737058148398424371/Jones, Stacy	\$70.02	\$0.00	\$1.00
ToCI					
10/21/2013	(\$50.51) Commissary Sale	Ticket Number 225353	\$19.51	\$0.00	\$1.00
ToCI					
10/23/2013	(\$9.00) JPay Media Credits	Automated JPay Media Credits	\$10.51	\$0.00	\$1.00
ToCI					
10/29/2013	\$50.00 OffConnect Kiosk Deposit	4751253995705098546/Brooks, Tonia	\$60.51	\$0.00	\$1.00
ToCI					
10/29/2013	(\$39.99) Commissary Sale	Ticket Number 225942	\$20.52	\$0.00	\$1.00
ToCI					
11/01/2013	(\$15.00) Inmate's Personal Account	POS Exemption Transfer	\$5.52	\$0.00	\$1.00
ToCI					
11/01/2013	\$15.00 Pos Exemption	POS Exemption Transfer	\$20.52	\$0.00	\$1.00
ToCI					
11/04/2013	\$40.00 OffConnect Kiosk Deposit	4761852686551769395/Jones, Stacy	\$60.52	\$0.00	\$1.00
ToCI					

11/05/2013	(\$60.20) Commissary Sale	Ticket Number 226356	\$0.32	\$0.00	\$1.00
ToCI					
11/08/2013	\$17.00 State Pay	State Pay	\$17.32	\$0.00	\$1.00
ToCI					
11/08/2013	(\$1.00) Electronics Usage Charge	Electronic Usage Charge	\$16.32	\$0.00	\$2.00
ToCI					
11/11/2013	\$48.00 OffConnect Kiosk Deposit	4769246289209090355/BR OOKS, TONIA	\$64.32	\$0.00	\$2.00
ToCI					
11/12/2013	\$25.00 OffConnect Kiosk Deposit	4769246749794001203/Br ooks, Tonia	\$89.32	\$0.00	\$2.00
ToCI					
11/13/2013	(\$73.12) Commissary Sale	Ticket Number 227005	\$16.20	\$0.00	\$2.00
ToCI					
11/15/2013	(\$6.50) JPay Media Credits	Automated JPay Media Credits	\$9.70	\$0.00	\$2.00
ToCI					
11/19/2013	(\$9.70) Commissary Sale	Ticket Number 227894	\$0.00	\$0.00	\$2.00
ToCI					
11/25/2013	\$80.00 OffConnect Kiosk Deposit	4788335091135308083/Br ooks, Tonia	\$80.00	\$0.00	\$2.00
ToCI					
11/25/2013	(\$2.00) Payment to Treasurer, State of Ohio		\$80.00	\$0.00	\$0.00
ToCI					
11/26/2013	(\$64.48) Commissary Sale	Ticket Number 228340	\$15.52	\$0.00	\$0.00
ToCI					
12/01/2013	(\$15.00) Inmate's Personal Account	POS Exemption Transfer	\$0.52	\$0.00	\$0.00
ToCI					
12/01/2013	\$15.00 Pos Exemption	POS Exemption Transfer	\$15.52	\$0.00	\$0.00
ToCI					
12/03/2013	\$40.00 OffConnect Kiosk Deposit	4806515988867080498/Br ooks, Tonia	\$55.52	\$0.00	\$0.00
ToCI					
12/03/2013	(\$50.36) Commissary Sale	Ticket Number 228950	\$5.16	\$0.00	\$0.00
ToCI					
12/05/2013	(\$5.00) JPay Media Credits	Automated JPay Media Credits	\$0.16	\$0.00	\$0.00
ToCI					
12/06/2013	\$17.00 State Pay	State Pay	\$17.16	\$0.00	\$0.00
ToCI					
12/06/2013	(\$1.00) Electronics Usage Charge	Electronic Usage Charge	\$16.16	\$0.00	\$1.00
ToCI					

12/06/2013	(\$2.00) Medical Co-Payment	12/6/2013	\$14.16	\$0.00	\$3.00
ToCI					
12/10/2013	(\$13.51) Commissary Sale	Ticket Number 229511	\$0.65	\$0.00	\$3.00
ToCI					
12/16/2013	\$102.00 OffConnect Kiosk Deposit	4818155029492425010/BR OOKS, TONIA	\$102.65	\$0.00	\$3.00
ToCI					
12/17/2013	(\$92.76) Commissary Sale	Ticket Number 230271	\$9.89	\$0.00	\$3.00
ToCI					
12/23/2013	\$40.00 OffConnect Kiosk Deposit	4831109908779262259/Jo nes, Stacy	\$49.89	\$0.00	\$3.00
ToCI					
12/23/2013	(\$49.62) Commissary Sale	Ticket Number 230279	\$0.27	\$0.00	\$3.00
ToCI					
12/24/2013	\$80.00 OffConnect Kiosk Deposit	4836063412304240947/Br ooks, Tonia	\$80.27	\$0.00	\$3.00
ToCI					
12/25/2013	(\$20.00) JPay Media Credits	Automated JPay Media Credits	\$60.27	\$0.00	\$3.00
ToCI					
12/30/2013	(\$59.58) Commissary Sale	Ticket Number 230715	\$0.69	\$0.00	\$3.00
ToCI					
12/31/2013	(\$1.00) Payment to Treasurer, State of Ohio		\$0.69	\$0.00	\$2.00
ToCI					
12/31/2013	\$64.48 Commissary Sale	Ticket Number 230933	\$65.17	\$0.00	\$2.00
ToCI					
01/01/2014	(\$49.48) Pos Exemption	POS Exemption Transfer	\$15.69	\$0.00	\$2.00
ToCI					
01/01/2014	\$49.48 Inmate's Personal Account	POS Exemption Transfer	\$65.17	\$0.00	\$2.00
ToCI					
01/03/2014	\$17.00 State Pay	State Pay	\$82.17	\$0.00	\$2.00
ToCI					
01/03/2014	(\$1.00) Electronics Usage Charge	Electronic Usage Charge	\$81.17	\$0.00	\$3.00
ToCI					
01/03/2014	(\$2.00) Payment to Medical Co-Pay Fund	January medical co-pays	\$81.17	\$0.00	\$1.00
ToCI					
01/04/2014	\$44.00 OffConnect Kiosk Deposit	4845625708366029106/Jo nes, Stacy	\$125.17	\$0.00	\$1.00
ToCI					
01/05/2014	(\$20.00) JPay Media Credits	Automated JPay Media Credits	\$105.17	\$0.00	\$1.00

ToCI					
01/07/2014	(\$1.50) JPay Media Credits	Automated JPay Media Credits	\$103.67	\$0.00	\$1.00
ToCI					
01/07/2014	(\$61.04) Commissary Sale	Ticket Number 231235	\$42.63	\$0.00	\$1.00
ToCI					
01/14/2014	(\$40.73) Commissary Sale	Ticket Number 232117	\$1.90	\$0.00	\$1.00
ToCI					
01/15/2014	\$30.00 OffConnect Kiosk Deposit	4866872874904346930/Brooks, Tonia	\$31.90	\$0.00	\$1.00
ToCI					
01/15/2014	(\$0.40) Copy Charges	library copies	\$31.50	\$0.00	\$1.00
ToCI					
01/19/2014	\$75.00 OffConnect Kiosk Deposit	4866874226711748914/Brooks, Tonia	\$106.50	\$0.00	\$1.00
ToCI					
01/21/2014	(\$61.87) Commissary Sale	Ticket Number 232584	\$44.63	\$0.00	\$1.00
ToCI					
01/22/2014	(\$4.00) JPay Media Credits	Automated JPay Media Credits	\$40.63	\$0.00	\$1.00
ToCI					
01/27/2014	\$30.00 OffConnect Kiosk Deposit	4881660062468694322/Jones, Stacy	\$70.63	\$0.00	\$1.00
ToCI					
01/28/2014	\$50.00 OffConnect Kiosk Deposit	4881660248561574194/CLARK-BULLOCK, LISA	\$120.63	\$0.00	\$1.00
ToCI					
01/28/2014	(\$76.21) Commissary Sale	Ticket Number 233004	\$44.42	\$0.00	\$1.00
ToCI					
01/30/2014	(\$4.50) JPay Media Credits	Automated JPay Media Credits	\$39.92	\$0.00	\$1.00
ToCI					
02/01/2014	(\$15.00) Inmate's Personal Account	POS Exemption Transfer	\$24.92	\$0.00	\$1.00
ToCI					
02/01/2014	\$15.00 Pos Exemption	POS Exemption Transfer	\$39.92	\$0.00	\$1.00
ToCI					
02/02/2014	\$20.00 OffConnect Kiosk Deposit	4890979470496260403/Brooks, Tonia	\$59.92	\$0.00	\$1.00
ToCI					

APPENDIX E. AFFIDAVIT OF INDIGENCE

IN THE SUPREME COURT OF OHIO

Affidavit of Indigence

I, David Arnold, do hereby state that I am without the necessary funds to pay the costs of this action for the following reason(s)*:

I do not have the means of financial support and no assets of any value and therefore cannot afford to pay for any legal services, for fee or cost. "Thank you!"

If you require additional space for your statement of reasons, you may continue on the back side of this form.

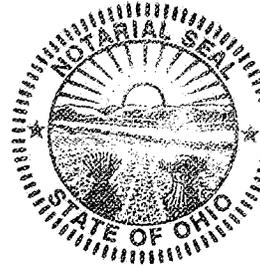
Pursuant to Rule 3.06, of the Rules of Practice of the Supreme Court of Ohio, and for the reasons stated above, I am requesting that the filing fee and security deposit, if applicable, be waived.

David Arnold
Affiant

Sworn to, or affirmed, and subscribed in my presence this 25 day of February, 2014.**

Patricia R Ceglio
Notary Public

My Commission Expires: 7/5/16.



Patricia R Ceglio
Notary Public - Ohio
My Commission Expires
07-05-16

* S.Ct.Prac.R. 3.06 requires your affidavit of indigence to state the reason(s) you are unable to pay the docket fees and/or security deposit. Failure to state specific reasons that you are unable to pay will result in your affidavit being rejected for filing by the clerk.

**This affidavit must be executed not more than six months prior to being filed in the Supreme Court in order to comply with S.Ct.Prac.R. 3.06. Affidavits not in compliance with that section will be rejected for filing by the clerk.