

ORIGINAL

IN THE
SUPREME COURT OF OHIO

IN RE D.M., : NO. 2013-0579
A Minor Child-Appellant. : On Appeal from the Hamilton County
 : Court of Appeals, First Appellate
 : District
 : Court of Appeals
 : Case Number C-1200794
 :

MEMORANDUM IN RESPONSE TO D.M.'S MOTION TO STAY

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COUNSEL FOR DEFENDANT-APPELLANT, IN RE D.M.
A MINOR CHILD-APPELLANT.

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D.M. seeks a stay to prevent the juvenile court below from proceeding with a probable cause hearing scheduled for April 17, 2014. The State agrees with D.M. that proceeding with such a hearing, while this appeal is pending in this Court, would be improper. Arguably, the juvenile court was divested of jurisdiction to take any substantive action in this case once this Court accepted D.M.'s appeal.

For this reason, the State herein represents that it will not seek to take any action in the D.M. case while the appeal is pending in this Court.

Respectfully,

Joseph T. Deters, 0012084P
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PROOF OF SERVICE

I hereby certify that I have sent a copy of the foregoing Memorandum in Response, by United States mail, addressed to Gordon C. Magella (0083770), Office of the Hamilton County Public Defender, 230 E. Ninth Street, Third Floor, Cincinnati, Ohio 45202, counsel of record, this 3 day of April, 2014.



Philip R. Cummings, 0041497P
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