

Redacted by Clerk of Court .LECTRONIC
COURT OF C
Sunday, Sept
CASE NUMBI
GREGORY A
CLERK OF CL



FILED
COURT OF APPEALS

2013 SEP 20 PM 12:04

IN THE COURT OF COMMON PLEAS FOR MONTGOMERY COUNTY, OHIO

GRACEY A. BRUSH
CLERK OF COURTS
MONTGOMERY COUNTY, OHIO

14-0570

STATE OF OHIO

Plaintiff

Case No. 2013-CR-2387

v.

Appellate Case No.: 25906

ADRIAN A. BIZZELL

Defendant

APPOINTMENT OF COUNSEL
September 20, 2013

It appearing to the court that the defendant *Adrian A. Bizzell* is indigent and qualified for legal representation at State's expense, and upon due consideration thereof, IT IS HEREBY ORDERED that attorney *Kirsten Knight* is appointed to represent the defendant for the sole purpose of this appeal to the Court of Appeals.

IT IS FURTHER ORDERED that in the event counsel appointed herein believes that a transcript of proceedings is necessary for a proper review of this matter by this court, said counsel shall, pursuant to Loc.App.R. 6, serve the following upon the judicial assistant: (i) a copy of the notice of appeal, (ii) a praecipe ordering said court reporter to prepare a transcript of proceedings, and (iii) a copy of this order of appointment of counsel. The transcript of proceedings will be prepared at State's expense.

IT IS FURTHER ORDERED that it shall be the responsibility of counsel appointed herein to determine the current location of the defendant and to advise the defendant of the fact of this appointment.

IT IS FURTHER ORDERED that this appointment does not require or obligate counsel appointed herein to pursue or defend an appeal to the Ohio Supreme Court from the final determination of the appeal in the event either appellant or appellee, State of Ohio, desires to pursue such an appeal.

IT IS FURTHER ORDERED that in the event counsel appointed herein for appellant files an appeal to the Ohio Supreme Court from the final determination of the appeal without first receiving a new appointment to do so, counsel shall be considered to be representing appellant on a *pro bono* basis.

FILED
APR 11 2014
CLERK OF COURT
SUPREME COURT OF OHIO

IT IS FURTHER ORDERED that in the event appellee, State of Ohio, files an appeal to the Ohio Supreme Court from the final determination of the appeal, the Court of Appeals will consider appointing counsel for appellant to defend against such an appeal only upon a new motion for appointment.

IT IS FURTHER ORDERED that counsel appointed herein shall not be eligible for compensation for legal services rendered unless appellant has completed and filed with the Court of Appeals a Financial Disclosure/Affidavit of Indigency form in the format required by the Ohio Public Defender's Commission. Appointed counsel is solely responsible for monitoring that such disclosure/affidavit is filed.

Counsel should note that pursuant to various regulations concerning fee applications for appointed counsel, fee applications must be submitted to the Court of Appeals no later than 30 days after final disposition of the appeal. In the event that counsel fails to timely submit the fee application, said fee application may be denied in whole or in part by the Court, or the amount of fee awarded may later be reduced by the Court.

Counsel shall have thirty (30) days to cause the completion of the record.

IT IS SO ORDERED.

IT IS SO ORDERED.

JUDGE GREGORY F. SINGER

Copies provided by the court to:

Kirsten Knight
P.O. Box 137
Germantown, OH 45327

Charles Grove
117 South Main Street, Suite 400
Dayton, OH 45422

Stephanie Barney
Case Management Specialist
Caseflow Department

Prosecuting Attorney
Appellate Division
Lisa Paul

Court of Appeals

Danielle Devey,
Judicial Assistant

SMB



General Division
Montgomery County Common Pleas Court
41 N. Perry Street, Dayton, Ohio 45422

Type: Order: Appointment of Appellant Counsel
Case Number: 2013 CR 02387
Case Title: STATE OF OHIO vs ADRIAN A. BIZZELL

So Ordered