

ORIGINAL

IN THE SUPREME COURT OF OHIO
Supreme Court Case Number 14-0432

STATE OF OHIO

Appellee

v.

DOUGLAS PRADE

Appellant

On Appeal from the Summit
County Court of Appeals
Ninth Appellate District
Court of Appeals No. 26775

STATE'S RESPONSE TO APPELLANT'S MOTION TO EXTEND STAY

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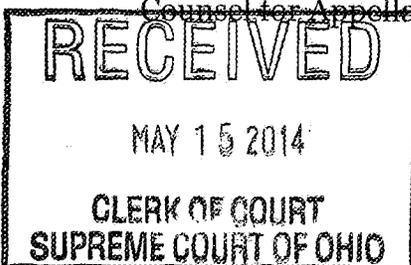
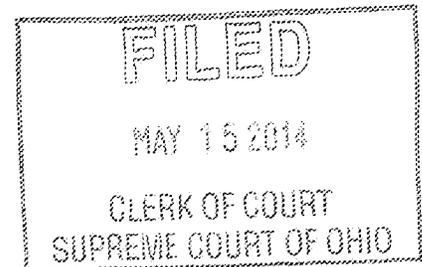
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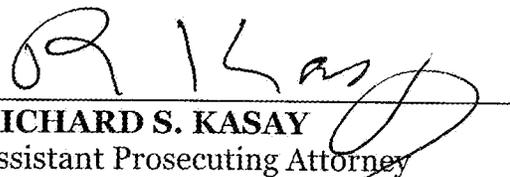
STATE'S RESPONSE TO APPELLANT'S MOTION TO EXTEND STAY

The State of Ohio has no doubt that if this Court accepts jurisdiction it will extend the stay pending further proceedings in this Court. This response is motivated, unnecessarily so, by appellant's statement that the State filed a motion for leave to appeal in the Ninth District Court of Appeals "which would have been unnecessary if the order [Judge Hunter's New Trial Order] actually were void." Then appellant implies that the State is pursuing some sort of gamesmanship in order to prevent him from being eligible for bond.

Appellant knows very well that along with the motion for leave to appeal, the State filed a motion requesting the Ninth District Court of Appeals to determine its own jurisdiction, an ability possessed by every court, specifically if the order is void or not. If it is not, then the State requested leave to appeal it. The State maintained that the order is in fact void.

Respectfully submitted,

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CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing document has been sent via regular U.S. mail to Attorneys David Booth Alden and Lisa B. Gates, Jones Day, North Point, 901 Lakeside Avenue, Cleveland, Ohio 44114; and to Mark A. Godsey, Ohio Innocence Project, University of Cincinnati College of Law, P.O. Box 210040, Cincinnati, Ohio 45221-0040 on this 13th day of May, 2014.

A handwritten signature in black ink, appearing to read "R. S. Kasay", written over a horizontal line.

RICHARD S. KASAY
Assistant Prosecuting Attorney
Appellate Division