

ORIGINAL

In The Supreme Court Of Ohio

State Of Ohio, :
 Appellee, :
 -vs- : Case No. **2010-0854**
 Anthony Kirkland :
 Appellant. : **Death Penalty Case**

Appellant Kirkland's Motion to Substitute Counsel

Joseph Deters - 0012084
Hamilton County Prosecutor

William E. Breyer - 0002138
Chief Assistant Prosecuting Attorney

Hamilton County Prosecutor's Office
230 East Ninth Street, Suite 4000
Cincinnati, Ohio 45202
(513) 946-3244
(513) 946-3100 (FAX)

Herbert E. Freeman (0005364)
Counsel for Appellant
1034 E. Second Street
Maysville, KY 41056-1587
(513) 505-5062

Bruce K. Hust – (0037009)
810 Sycamore St.
1st Floor
Cincinnati, OH 45202
(513) 338-1975

Counsel For Appellee

Counsel for Appellant

FILED
 MAY 22 2014
 CLERK OF COURT
 SUPREME COURT OF OHIO

In The Supreme Court Of Ohio

State Of Ohio, :
Appellee, :
-vs- : Case No. **2010-0854**
Anthony Kirkland :
Appellant. : **Death Penalty Case**

Appellant Kirkland's Motion to Substitute Counsel

Counsel for Anthony Kirkland hereby move this Court to substitute for undersigned counsel, Herbert E. Freeman and Bruce K. Hust, Rachel Troutman, Tyson Fleming, and Elizabeth Arrick from the Office of the Ohio Public Defender. Troutman is a Supervisor in the Death Penalty Division, and Troutman and Fleming are Rule 20-certified to handle death penalty appeals. Arrick's application for Rule 20 certification is forthcoming, and Troutman and Arrick currently represent Kirkland in his post-conviction appeals and have knowledge of the facts of Kirkland's case.

Troutman, Fleming, and Arrick will take over Kirkland's direct appeal case for what remains before this Court.

Respectfully Submitted,

Herbert E. Freeman - per telephone authorization
Herbert E. Freeman (0005364) *Rachel Troutman*
1034 E. Second Street
Maysville, KY 41056-1587
(513) 505-5062

and

Bruce K. Hust -- (0037009)
810 Sycamore St.
1st Floor
Cincinnati, OH 45202
(513) 338-1975

CERTIFICATE OF SERVICE

I hereby certify that a true copy of **Appellant Kirkland's Motion to Substitute Counsel** was forwarded by regular U.S. First Class Mail to William E. Breyer, Chief Assisting Prosecuting Attorney, 230 East Ninth Street, Suite 4000, Cincinnati, Ohio 45202, on the 22nd day of May, 2014.

Herbert E. Freeman per telephone authorization
Herbert E. Freeman *Paul O'H*