

ORIGINAL

IN THE SUPREME COURT OF OHIO

Dorothy Fondessy

Appellee

Case No. 2013-1574

v.

Anthony Simon

Appellant

On Appeal from the Ottawa
County Court of Appeals
Sixth Appellate District

EMERGENCY MOTION OF APPELLANT ANTHONY SIMON
TO CONTINUE ORAL ARGUMENT

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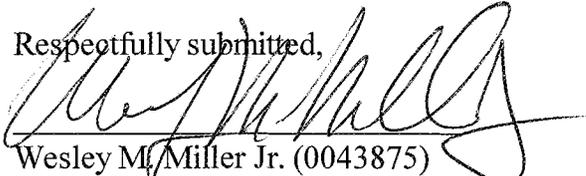
FILED
JUN 04 2014
CLERK OF COURT
SUPREME COURT OF OHIO

COUNSEL FOR APPELLEE, DOROTHY FONDESSY

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SUPREME COURT OF OHIO

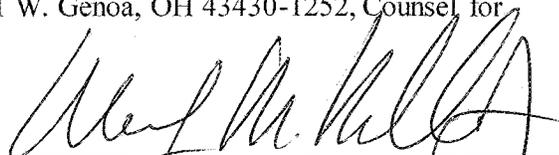
Counsel for Appellant hereby moves the Court for an order continuing the oral argument in this matter currently scheduled for Wednesday June 11, 2014 for medical reasons. Counsel has recently undergone an annual appointment with his cardiologist and was directed to perform additional testing. After the testing and further consultation with the doctor, Ameer Kabour, M.D., a Cardiac Catheterization procedure has been scheduled for Monday June 9, 2014 (see attached). While this procedure may result in the determination of no serious medical problems it does severely impact counsel's ability to effectively prepare for and present an oral argument to the Court and deprives Appellant Simon of zealous legal representation. Counsel believes neither the Appellant nor the Appellee will be prejudiced by granting this motion.

WHEREFORE Counsel for Appellant moves the Court to continue the oral argument to the fall calendar.

Respectfully submitted,

Wesley M. Miller Jr. (0043875)
Counsel for Appellant Anthony Simon

CERTIFICATE OF SERVICE

I hereby certify that on June 3, 2014 the foregoing was sent via U.S. mail to Ernest E. Cottrell Jr. at 21980 State Rte. 51 W. Genoa, OH 43430-1252, Counsel for Appellee.


Wesley M. Miller Jr.

ATTACHMENT NOT SCANNED