

IN THE SUPREME COURT OF OHIO

STATE OF OHIO, :

Appellee, :

-vs- : CASE NO. 2013-0915

STEVEN CEPEC, : **This is a capital case.**

Appellant. : Expedited ruling requested

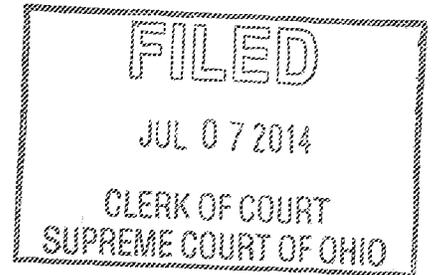
ON APPEAL FROM THE COURT OF  
COMMON PLEAS OF MEDINA COUNTY  
CASE NO. 04-CR-02635

MOTION TO UNSEAL PROCEEDINGS

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COUNSEL FOR APPELLANT

IN THE SUPREME COURT OF OHIO

STATE OF OHIO, :  
Appellee, :  
-vs- : CASE NO. 2013-0915  
STEVEN CEPEC, :  
Appellant. : **This is a capital case.**

MOTION TO UNSEAL PROCEEDINGS

Appellant Steven Cepec, through counsel, moves this honorable Court to unseal the juror questionnaires in this case that the Medina County Common Pleas Court ordered to be sealed in Case No. 10 CR 0588. The reasons for this request are set forth in the attached memorandum.

Respectfully submitted,

*Nathan Ray per telephone authorization*  
NATHAN RAY-0041570  
Counsel of Record #0085151

*Adam Van Ho per telephone authorization*  
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MEMORANDUM IN SUPPORT

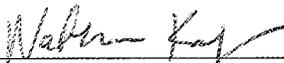
Steven Cepec was convicted of aggravated murder and sentenced to death. He is currently before this Court on an appeal as of right. On January 16, 2014, the Medina County Clerk of Court submitted to this Court the record from Cepec's capital trial. Along with the submitted record were juror questionnaires filed under seal. Cepec moves this Court to unseal these documents for counsel's review.

Cepec has a right to a complete and unabridged record for his capital appeal. State ex rel. Spirko v. Court of Appeals, Third Appellate District, 27 Ohio St. 3d 13, 16, 501 N.E.2d 625, 627 (1986). See also State v. D'Ambrosio, 67 Ohio St. 3d 185, 200, 616 N.E.2d 909, 921 (1993). Further, Sup. R. Prac. 19(3)(A) states that the record on appeal in death cases "shall consist of the original papers filed in the trial and exhibits to those papers [as well as] the transcript of proceedings, including all exhibits..."

These juror questionnaires may present issues for Cepec's Merit Brief. A thorough review of the entire record is necessary to give Cepec a full and fair opportunity to litigate his appeal as of right in this Court. Without a complete record for review, counsel cannot provide effective representation to Cepec. See State v. Buell, 70 Ohio St. 3d 1211, 639 N.E.2d 110 (1994); Evitts v. Lucey, 469 U.S. 387 (1985).

WHEREFORE, Cepec moves this Court to unseal the juror questionnaires filed under seal by the Medina County Clerk's Office and make the questionnaires a part of the record.

Respectfully submitted,

  
NATHAN RAY-0041570  
Counsel of Record

  
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Adam Van Ho *per telephone authorization*  
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the MOTION TO UNSEAL PROCEEDINGS was forwarded by regular U.S. Mail to Dean Holman, Medina Prosecuting Attorney, Medina County Prosecutor's Office, 72 Public Square, Medina, Ohio 44256 this 7<sup>th</sup> day of July, 2014.

Nathan Ray *per telephone authorization*  
NATHAN RAY-0041570 *[Signature]*  
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