

ORIGINAL

IN THE SUPREME COURT OF OHIO

STATE OF OHIO,	:	
	:	Case No. 2014-1454
Plaintiff-Appellee,	:	
	:	On Appeal from the Cuyahoga County
v.	:	Court of Appeals,
	:	Eighth Appellate District
ANTONIA EARLEY,	:	Case No. 100482
	:	
Defendant-Appellant.	:	

MOTION FOR APPOINTMENT OF COUNSEL

TIMOTHY J. MCGINTY (0024626)
Cuyahoga County Prosecutor

OFFICE OF THE OHIO PUBLIC DEFENDER

HOLLY WELSH (0082956)
Assistant Cuyahoga County Prosecutor
(COUNSEL OF RECORD)

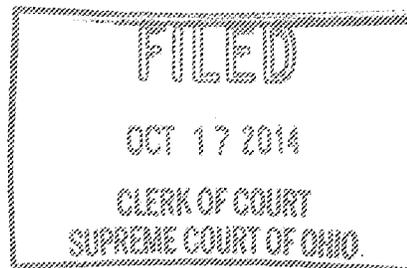
NIKKI TRAUTMAN BASZYNSKI (0091085)
Assistant State Public Defender

The Justice Center, Courts Tower
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COUNSEL FOR STATE OF OHIO

COUNSEL FOR ANTONIA EARLEY



MOTION FOR APPOINTMENT OF COUNSEL

Appellant Antonia Earley respectfully asks this Court to appoint the Office of the Ohio Public Defender to represent her in this appeal. This Court accepted her discretionary appeal and the certified conflict from the court of appeals. October 8, 2014 Entry, Case No. 2014-1278; October 8, 2014 Entry, Case No. 2014-1454. The Office of the Ohio Public Defender filed both the jurisdictional memorandum and the notice of certified conflict.

This Court should appoint the Office of the Ohio Public Defender because Ms. Earley is indigent and was appointed counsel for her direct appeal. And, Ms. Earley has submitted an affidavit of indigency to this Court recently. *See Ex. A, Affidavit of Indigency.* Supreme Court Practice Rule 7.09 reads:

If the Supreme Court accepts a jurisdictional appeal involving a felony and an unrepresented party to the appeal is indigent, the Supreme Court will appoint the Ohio Public Defender or other counsel to represent the indigent party or order the court of appeals to appoint counsel as provided in S.Ct.Prac.R. 7.01(D)(2).

Accordingly, Ms. Earley requests that this Court appoint the Office of the Ohio Public Defender as counsel in this case. S.Ct.Prac.R. 7.09.

Respectfully submitted,

OFFICE OF THE OHIO PUBLIC DEFENDER



NIKKI TRAUTMAN BASZYNSKI (0091085)
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COUNSEL FOR ANTONIA EARLEY

CERTIFICATE OF SERVICE

A copy of the foregoing **Motion for Appointment of Counsel** was sent by regular U.S. mail to Holly Welsh, Assistant Cuyahoga County Prosecutor, The Justice Center, Courts Tower, 1200 Ontario Street – 9th Floor, Cleveland, Ohio 44113, on this 17th day of October 2014.



NIKKI TRAUTMAN BASZYNSKI (0091085)
Assistant State Public Defender

COUNSEL FOR ANTONIA EARLEY

ORIGINAL

IN THE SUPREME COURT OF OHIO

STATE OF OHIO,

Plaintiff-Appellee,

vs.

ANTONIA EARLEY,

Defendant-Appellant.

14-1278

Case No. CR13571171

AFFIDAVIT OF INDIGENCY

I, Antonia Earley, do hereby state that I am without the necessary funds to pay the costs of this action for the following reasons:

I am currently incarcerated at the Northeast Pre-Release Center and I have been incarcerated since Sep 19, 2013. I work at the prison but receive only \$18.00 dollars per month.

Pursuant to Rule 3.06, of the Rules of the Supreme Court of Ohio, I am requesting that the filing fee and security deposit, if applicable, be waived.

Antonia M. Earley
ANTONIA EARLEY

Sworn to, or affirmed, and subscribed in my presence this 17 day of July, 2014.

Karen L. Seach
Notary Public
My Commission Expires: 12/19/17



KAREN L. SEACH
NOTARY PUBLIC
STATE OF OHIO
Recorded in
Cuyahoga County
My Comm. Exp. 12/19/17

[Note: This affidavit must be executed not more than six months prior to being filed in the Supreme Court in order to comply with S.Ct.Prac.R. 3.06. Affidavits not in compliance with that section will be rejected for filing by the Clerk.]

#421566

