

In the
Supreme Court of Ohio

STATE OF OHIO,	: Case No. 2014-0104
	:
Plaintiff-Appellant,	: On Appeal from the
	: Wood County
v.	: Court of Appeals,
	: Sixth Appellate District
TERRANCE BROWN,	:
	: Court of Appeals
Defendant-Appellee.	: Case No. WD-12-070
	:

**JOINT MOTION OF APPELLANT AND
AMICUS CURIAE OHIO ATTORNEY GENERAL MICHAEL DEWINE
FOR DIVIDED ARGUMENT TIME**

PAUL A. DOBSON* (0064126)
Wood County Prosecutor
**Counsel of Record*

THOMAS A. MATUSZAK* (0067770)
DAVID T. HAROLD (0072338)
Assistant Prosecuting Attorneys
One Courthouse Square, Annex
Bowling Green, Ohio 43402
419-354-9250
419-353-2904 fax
tmatuszak@co.wood.oh.us
Counsel for Appellant
State of Ohio

LAWRENCE A. GOLD* (0078779)
**Counsel of Record*
3852 Fairwood Drive
Sylvania, Ohio 43560
419-843-5719
419-843-5719 fax
lgoldlawoffice@aol.com
Counsel for Appellee
Terrance Brown

MICHAEL DEWINE (0009181)
Attorney General of Ohio

ERIC E. MURPHY* (0083284)
State Solicitor
**Counsel of Record*

MATTHEW CUSHING (0092674)
Deputy Solicitor
30 East Broad Street, 17th Floor
Columbus, Ohio 43215
614-466-8980
614-466-5087 fax
eric.murphy@ohioattorneygeneral.gov

Counsel for *Amicus Curiae*
Ohio Attorney General Michael DeWine

ROBERT L. BERRY* (0007896)
**Counsel of Record*

Law Office of Robert L. Berry LLC
7582 South Goodrich Square
New Albany, Ohio 43054
614-855-3054
rberrylaw@ameritech.net

Counsel for *Amicus Curiae*
Buckeye State Sheriff's Association

MATHIAS H. HECK, JR. (0014171)
Montgomery County Prosecuting Attorney

ANDREW T. FRENCH* (0069384)
**Counsel of Record*
Montgomery County Prosecutor's Office
Appellate Division
301 West Third Street, 5th Floor
Dayton, Ohio 45422
937-225-5757

Counsel for *Amicus Curiae*
Montgomery County Prosecutor's Office

CARRIE WOOD* (0087091)
**Counsel of Record*
Office of the Ohio Public Defender
250 East Broad Street, Suite 1400
Columbus, Ohio 43215
614-466-5394
614-752-5167 fax
carrie.wood@opd.ohio.gov

Counsel for *Amicus Curiae*
Office of the Ohio Public Defender

RON O'BRIEN (0017245)
Franklin County Prosecuting Attorney

SETH L. GILBERT* (0072929)
Assistant Prosecuting Attorney
**Counsel of Record*
373 South High Street, 13th Floor
Columbus, Ohio 43215
614-525-3555
sgilbert@franklincountyohio.gov

Counsel for *Amicus Curiae*
Ohio Prosecuting Attorney's Association

JULIA R. BATES (0013426)
Lucas County Prosecuting Attorney

EVY M. JARRETT* (0062485)
**Counsel of Record*
Assistant Prosecuting Attorney
Lucas County Prosecutor's Office
Lucas County Courthouse
Toledo, Ohio 43624
419-213-4700
419-213-4595 fax

Counsel for *Amicus Curiae*
Lucas County Prosecutor's Office

**JOINT MOTION OF APPELLANT AND
AMICUS CURIAE OHIO ATTORNEY GENERAL MICHAEL DEWINE
FOR DIVIDED ARGUMENT TIME**

Oral argument in this case is scheduled for February 3, 2015, with each side allotted fifteen minutes. As provided by S. Ct. Rule 17.06, counsel for Appellant State of Ohio and counsel for Ohio Attorney General Michael DeWine, as *amicus curiae*, request the Court's permission to divide Appellant's oral argument time. If the Court grants this Motion, Appellant's counsel Paul Dobson will argue for 10 minutes and Deputy Solicitor Matthew Cushing will argue for 5 minutes.

Respectfully submitted,

MICHAEL DEWINE (0009181)
Ohio Attorney General

/s/ Paul Dobson per email consent 1/15/15
PAUL A. DOBSON* (0064126)
Wood County Prosecutor
**Counsel of Record*
THOMAS A. MATUSZAK (0067770)
DAVID T. HAROLD (0072338)
Assistant Prosecuting Attorneys
Wood County Prosecutor's Office
One Courthouse Square, Annex
Bowling Green, Ohio 43402
419-354-9250
419-353-2904 fax
tmatuszak@co.wood.oh.us
Counsel for Appellant
State of Ohio

/s Eric E. Murphy
ERIC E. MURPHY* (0083284)
State Solicitor
**Counsel of Record*
MATTHEW CUSHING (0092674)
Deputy Solicitor
30 East Broad Street, 17th Floor
Columbus, Ohio 43215
614-466-8980
614-466-5087 fax
eric.murphy@ohioattorneygeneral.gov
Counsel for *Amicus Curiae*
Ohio Attorney General Michael DeWine

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Joint Motion of Appellant and *Amicus Curiae* Ohio Attorney General Michael DeWine for Divided Argument Time was served by U.S. mail this 15th day of January, 2015 upon the following counsel:

Paul A. Dobson
Wood County Prosecutor
Thomas A. Matuszak
David T. Harold
Wood County Prosecutor's Office
One Courthouse Square, Annex
Bowling Green, Ohio 43402

Counsel for Appellant
State of Ohio

Lawrence A. Gold
3852 Fairwood Drive
Sylvania, Ohio 43560

Counsel for Appellee
Terrance Brown

Andrew T. French
Montgomery County Prosecutor's Office
Appellate Division
301 West Third Street, 5th Floor
Dayton, Ohio 45422

Counsel for *Amicus Curiae*
Montgomery County Prosecutor's Office

Carrie Wood
Office of the Ohio Public Defender
250 East Broad Street, Suite 1400
Columbus, Ohio 43215

Counsel for *Amicus Curiae*
Office of the Ohio Public Defender

Robert L. Berry
Law Office of Robert L. Berry LLC
7582 South Goodrich Square
New Albany, Ohio 43054

Counsel for *Amicus Curiae*
Buckeye State Sheriff's Association

Ron O'Brien
Franklin County Prosecuting Attorney
Seth L. Gilbert
Assistant Prosecuting Attorney
373 South High Street, 13th Floor
Columbus, Ohio 43215

Counsel for *Amicus Curiae*
Ohio Prosecuting Attorney's Association

Julia R. Bates
Lucas County Prosecuting Attorney

Evy M. Jarrett
Assistant Prosecuting Attorney
Lucas County Prosecutor's Office
Lucas County Courthouse
Toledo, Ohio 43624

Counsel for *Amicus Curiae*
Lucas County Prosecutor's Office

/s Eric E. Murphy
Eric E. Murphy
State Solicitor