Supreme Court of Ohio Clerk of Court - Filed January 29, 2015 - Case No. 2014-2064

IN THE SUPREME COURT OF OHIO

STATE OF OHIO,	:	
	:	CASE NOS. 2014-1984 & 2014-2064
PLAINTIFF-APPELLEE,	:	
	:	ON CERTIFIED CONFLICT AND
V.	:	DISCRETIONARY APPEAL FROM THE
	:	SCIOTO COUNTY COURT OF APPEALS,
CHELSEY BARRY,	:	FOURTH APPELLATE DISTRICT,
	:	CASE NO. 13CA3569
DEFENDANT-APPELLANT.	:	

Motion of Appellant Chelsey Barry to Appoint the Office of the Ohio Public Defender as Counsel

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Mark Kuhn, 0063392
Scioto County Prosecutor

Pat Apel, 0067805
Assistant Prosecuting Attorney
(Counsel of Record)

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Counsel for Defendant-Appellant
Chelsey Barry

Motion of Appellant Chelsey Barry to Appoint
the Office of the Ohio Public Defender as Counsel

Appellant Chelsey Barry asks that this Court appoint the Office of the Ohio Public Defender as her counsel in this case. Under that rule, if this Court "grants leave to appeal in a discretionary 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[.]" S.Ct.Prac.R. 7.09.

This case concerns a third-degree felony—tampering with evidence, and as demonstrated by the entries appointing counsel that were filed in these cases on November 14, 2014 and December 1, 2014, Ms. Barry is indigent. Further, undersigned counsel at the Ohio Public Defender's Office represented Ms. Barry in the court of appeals and filed the jurisdictional memorandum that this Court accepted, so he is familiar with this case.

Accordingly, Appellant Chelsey Barry asks this Court to appoint the Office of the Ohio Public Defender as her counsel in this case.

Respectfully submitted,

Office of the Ohio Public Defender

/s/ Stephen P. Hardwick
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Counsel for Appellant Chelsey Barry

Certification of Service

I hereby certify that a true copy of the foregoing was forwarded by electronic mail to Assistant Prosecuting Attorney Pat Apel, PApel@sciotocountypo.org, on this 29th day of January, 2015.

/s/ Stephen P. Hardwick
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Assistant Public Defender

Counsel for Appellant Chelsey Barry

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