

IN THE SUPREME COURT OF OHIO

STATE OF OHIO : SC Case No: 2014-1862
 : CP Case No: 14CR 29826
Plaintiff :
-vs- : **MOTION FOR SUBSTITUTION**
 : **OF CO-COUNSEL**
AUSTIN GREGORY MYERS :
Defendant : **THIS IS A CAPITAL CASE**

The Defendant, by and through counsel, requests that new co-counsel be appointed for the reason articulated below.

The current appellate co-counsel on this case, Bruce Hust (#0037009), has been appointed a Magistrate in Hamilton County Juvenile Court. Therefore he can no longer assist in this appeal.

The undersigned lead counsel has contacted Roger Kirk (#0024219), who is a qualified death penalty and experienced appellate counsel. Mr. Kirk is willing to accept the appointment should the court be so inclined.

The defendant, by and through counsel, respectfully request that Mr. Kirk be appointed as co-counsel in replacement of Mr. Hust on this appeal.

Respectfully submitted,

s/ Timothy J McKenna
Timothy J. McKenna (0075027)
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CERTIFICATE OF SERVICE

A copy of the foregoing pleading was served upon the Warren County Prosecutor office by fax and mail this 18 day March 2015.

s/ Timothy J McKenna

Timothy J. McKenna (0075027)

IN THE SUPREME COURT OF OHIO

STATE OF OHIO : SC Case No: 2014-1862
Plaintiff : CP Case No: 14CR 29826
-vs- : **ENTRY GRANTING MOTION**
AUSTIN GREGORY MYERS : **FOR SUBSTITUTION OF CO-COUNSEL**
Defendant : **THIS IS A CAPITAL CASE**

The Court, for good cause shown, finds the appellant's motion WELL TAKEN and hereby appoints Roger Kirk (0024219) as co-counsel on this appeal.

Judge