

IN THE SUPREME COURT OF OHIO

STATE OF OHIO,	:
	: Case No.
PLAINTIFF-APPELLEE,	:
	: ON DISCRETIONARY APPEAL from the
V.	: Montgomery County Court of Appeals,
	: 2d Appellate District,
ADRIAN L. HAND, JR.,	: Case No. 25840
	:
DEFENDANT-APPELLANT.	:

**ENTRY APPOINTING COUNSEL IN LIEU OF AFFIDAVIT OF INDIGENCY OF DEFENDANT-
APPELLANT ADRIAN L. HAND, JR.**

Montgomery County Prosecutor's Office	The Office of the Ohio Public Defender
Mathias H. Heck, Jr. #0014171	Sheryl Trzaska #0079915
Montgomery County Prosecuting Attorney	Assistant State Public Defender
Montgomery County Prosecutor's Office	250 East Broad Street, Suite 1400
5th Floor, Courts Building	Columbus, Ohio 43215
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Counsel for State of Ohio	Counsel for Adrian L. Hand, Jr..

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CASE NUM
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W. BRUCE W. DUNN
CLERK OF COURTS
MONTGOMERY COUNTY
OHIO

IN THE COURT OF COMMON PLEAS FOR MONTGOMERY COUNTY, OHIO

STATE OF OHIO

Plaintiff

Case No. 2012-CR-650/2

v.

ADRIAN L. HAND, JR.

Appellate Case No.: 25840

Defendant

APPOINTMENT OF COUNSEL

August 2, 2013

It appearing to the court that the defendant *Adrian L. Hand, Jr.* is indigent and qualified for legal representation at State's expense, and upon due consideration thereof, IT IS HEREBY ORDERED that attorney *Robert Brenner* is appointed to represent the defendant for the sole purpose of this appeal to the Court of Appeals.

IT IS FURTHER ORDERED that in the event counsel appointed herein believes that a transcript of proceedings is necessary for a proper review of this matter by this court, said counsel shall, pursuant to Loc.App.R. 6, serve the following upon the judicial assistant: (i) a copy of the notice of appeal, (ii) a praecipe ordering said court reporter to prepare a transcript of proceedings, and (iii) a copy of this order of appointment of counsel. The transcript of proceedings will be prepared at State's expense.

IT IS FURTHER ORDERED that it shall be the responsibility of counsel appointed herein to determine the current location of the defendant and to advise the defendant of the fact of this appointment.

IT IS FURTHER ORDERED that this appointment does not require or obligate counsel appointed herein to pursue or defend an appeal to the Ohio Supreme Court from the final determination of the appeal in the event either appellant or appellee, State of Ohio, desires to pursue such an appeal.

IT IS FURTHER ORDERED that in the event counsel appointed herein for appellant files an appeal to the Ohio Supreme Court from the final determination of the appeal without first receiving a new appointment to do so, counsel shall be considered to be representing appellant on a *pro bono* basis.

IT IS FURTHER ORDERED that in the event appellee, State of Ohio, files an appeal to the Ohio Supreme Court from the final determination of the appeal, the Court of Appeals will consider appointing counsel for appellant to defend against such an appeal only upon a new motion for appointment.

IT IS FURTHER ORDERED that counsel appointed herein shall not be eligible for compensation for legal services rendered unless appellant has completed and filed with the Court of Appeals a Financial Disclosure/Affidavit of Indigency form in the format required by the Ohio Public Defender's Commission. Appointed counsel is solely responsible for monitoring that such disclosure/affidavit is filed.

Counsel should note that pursuant to various regulations concerning fee applications for appointed counsel, fee applications must be submitted to the Court of Appeals no later than 30 days after final disposition of the appeal. In the event that counsel fails to timely submit the fee application, said fee application may be denied in whole or in part by the Court, or the amount of fee awarded may later be reduced by the Court.

Counsel shall have thirty (30) days to cause the completion of the record.

IT IS SO ORDERED.

IT IS SO ORDERED.

JUDGE DENNIS J. LANGER

Copies provided by the court to:

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Dayton, OH 45402

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Caseflow Department

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Appellate Division
Lisa Paul

Court of Appeals

Terrie Godsey,
Court Reporter

SMB



General Division
Montgomery County Common Pleas Court
41 N. Perry Street, Dayton, Ohio 45422

Type: Order: Appointment of Appellant Counsel
Case Number: 2012 CR 00650 /2
Case Title: STATE OF OHIO vs ADRIAN LAMONT HAND

So Ordered

A handwritten signature in black ink, appearing to read "Dennis J. Pender".