

IN THE SUPREME COURT OF OHIO

STATE OF OHIO, :
Appellee, :
vs. : Case No.: 2010-0944
JEREMIAH JACKSON, :
Appellant. : **This Is A Capital Case.**

**On Appeal from the
Cuyahoga County Court of Common Pleas
Case No. CR-09-532145-A**

**MOTION FOR STAY OF EXECUTION PENDING
DISPOSITION OF AVAILABLE REMEDIES
EXECUTION SCHEDULED FOR MARCH 22, 2017.**

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Jeremiah Jackson moves this Court to stay his **execution set for March 22, 2017**, pending disposition of his available remedies. The reasons for this motion are more fully set forth in the attached memorandum.

Respectfully submitted,

OFFICE OF THE
OHIO PUBLIC DEFENDER

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**Memorandum In Support Of Motion To Stay Execution
Pending Disposition Of Appeal**

Jeremiah Jackson now moves this Court for an order continuing his stay of execution pending the exhaustion of available postconviction remedies, including all appeals. Under *State v. Steffen*, 70 Ohio St. 3d 399, 639 N.E.2d 67 (1994), Jackson is entitled to a stay of execution until he has “exhausted ... one round of postconviction relief, and one motion for delayed reconsideration ... in the court of appeals” 70 Ohio St.3d at 412, 639 N.E.2d at 77. *See also State v. Glenn*, 33 Ohio St. 3d 601, 514 N.E.2d 869 (1987).

On February 18, 2011, Jackson filed his Petition to Vacate or Set Aside Sentence Pursuant to Ohio Revised Code Section 2953.21 (Exhibit B). The petition and related motions are pending in the trial court. Thus, a stay of execution is needed to ensure that the issues raised in his postconviction petition are fully resolved. This Court has granted similar motions. *See, e.g., State v. Raglin*, 85 Ohio St. 3d 1429, 707 N.E.2d 945 (1999).

WHEREFORE, Jeremiah Jackson respectfully requests that this Honorable Court grant a stay of execution pending the exhaustion of available state remedies, and more specifically, his

postconviction proceedings, in accordance with State v. Steffen, 70 Ohio St. 3d 399, 639 N.E.2d 67.¹

Respectfully submitted,

Office of the Ohio Public Defender

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¹ Additionally, Jackson's Petition for Writ of Certiorari is due in the United States Supreme Court on August 21, 2015. *Jackson v. Ohio*, Case No. 14A1305.

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing **MOTION FOR STAY OF EXECUTION PENDING DISPOSITION OF AVAILABLE REMEDIES** was forwarded by regular U.S. mail to Timothy McGinty, Cuyahoga County Prosecutor, 1200 Ontario Street, 9th Floor, Cleveland, Ohio 44113 on the 6th day of July, 2015.

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