

IN THE SUPREME COURT OF OHIO

STATE OF OHIO,	)	
	)	Case No.
Plaintiff-Appellant,	)	
	)	On Appeal from Cuyahoga
vs.	)	County Court of Appeals
	)	Eighth Appellate District
MICHAEL IRBY,	)	
	)	C.A. Case No. 102263
Defendant-Appellee.	)	

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**NOTICE OF APPEAL OF APPELLANT STATE OF OHIO**

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Timothy J. McGinty (#0024626)  
Cuyahoga County Prosecutor

Daniel T. Van (#0084614)  
Assistant County Prosecutor  
The Justice Center, 8<sup>th</sup> Floor  
1200 Ontario Street  
Cleveland, Ohio 44113  
(216) 443-7800

COUNSEL FOR STATE OF OHIO

COUNSEL FOR APPELLEE

Sarah Gatti  
310 Lakeside Ave. Suite 200  
Cleveland, Ohio 44113

Ohio Public Defender  
250 E. Broad Street, Suite 1400  
Columbus, Ohio 43215

**NOTICE OF APPEAL OF APPELLANT STATE OF OHIO**

Appellant State of Ohio hereby gives notice of appeal to the Supreme Court of Ohio from the judgment of the Cuyahoga County Court of Appeals, Eighth Appellate District, entered in *State v. Irby*, 8th Dist. No. 102263, 2015-Ohio-2705, and journalized on July 2, 2015.

This felony case raises a substantial constitutional question and is of public or great general interest.

Respectfully submitted,

TIMOTHY J. MCGINTY  
CUYAHOGA COUNTY PROSECUTOR

/S/ Daniel T. Van  
Daniel T. Van (#0084614)  
Assistant County Prosecutor  
The Justice Center, 8<sup>th</sup> Floor  
1200 Ontario Street  
Cleveland, Ohio 44113

COUNSEL FOR STATE OF OHIO

## **CERTIFICATE OF SERVICE**

A copy of the foregoing Notice of Appeal of Appellant State of Ohio was forwarded by regular U.S. mail or electronic service this 17<sup>th</sup> day of August, 2015, to Sarah Gatti, 310 Lakeside Ave., Suite 200, Cleveland, Ohio 44113 and a representative of the Ohio Public Defender at .at [jim.foley@opd.ohio.gov](mailto:jim.foley@opd.ohio.gov) .

/S/ Daniel T. Van  
Daniel T. Van (#0084614)  
Assistant Prosecuting Attorney