

In The Supreme Court of Ohio

State of Ohio, :
Appellee, : Case No. 11-0857
-vs- : Appeal taken from Cuyahoga County
Court of Common Pleas
Denny Obermiller, : Case No. CR 10-542119-A
Appellant. : **Capital Case**

Appellant's List of Additional Authority

	Office of the Ohio Public Defender
Sherri Bevan Walsh - 0030038 Summit County Prosecutor	Shawn P. Welch – 0085399 Assistant State Public Defender Counsel of Record
Richard S. Kasay – 0013952 Assistant Prosecuting Attorney Counsel of Record	Kathryn L. Sandford – 0063985 Supervisor, Death Penalty Division
	Randall L. Porter – 0005835 Assistant State Public Defender
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Counsel For Appellee	Counsel for Appellant

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Appellant's List of Additional Authority

Pursuant to S. Ct. Prac. R. 17.08, Appellant Denny Obermiller hereby lists the following additional authorities his counsel may rely on at oral argument:

Arizona v. Fulminante, 499 U.S. 279, 111 S. Ct. 1246, 113 L. Ed. 2d 302 (1991).

Lo-Ji Sales v. New York, 442 U.S. 319, 99 S. Ct. 2319, 60 L. Ed. 2d 920 (1979).

McKaskle v. Wiggins, 465 U.S. 168, 104 S. Ct. 944, 79 L. Ed. 2d 122 (1984).

People v. Stevens, __ Mich. __, __ N.W.2d __, 2015 Mich. LEXIS 1637 (July 23, 2015) (*Docket No. 149380*).

State v. Baston, 85 Ohio St. 3d 418, 1999-Ohio-280.

State v. Bodyke, 126 Ohio St. 3d 266, 2010-Ohio-2424.

State v. Brown, 2013-Ohio-1579, 2013 Ohio App. LEXIS 1467 (2nd Dist.).

State v. Cassano, 96 Ohio St. 3d 94, 2002-Ohio-3751.

State v. Roberts, 137 Ohio St. 3d 230, 2013-Ohio-4580.

United States v. Garey, 540 F.3d 1253, 2008 U.S. App. LEXIS 17698 (11th Cir. 2008).

United States v. Marzano, 149 F.2d 923, 1945 U.S. App. LEXIS 2717 (1945).

Ohio Evid. R. 614 (2015).

Respectfully submitted,

Office of the Ohio Public Defender

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By: /s/Shawn P. Welch

Counsel for Appellant

Certificate of Service

I hereby certify that a true copy of the foregoing **Appellant's List of Additional Authority** was forwarded by first-class, postage prepaid U.S. Mail to Richard S. Kasay, Assistant Prosecuting Attorney, Appellate Division, Summit County Prosecutor's Office, 53 University Avenue, 6th Floor, Akron, OH 44308, on August 25, 2015.

By: /s/Shawn P. Welch
Shawn P. Welch – 0085399

Counsel for Appellant