

NO. 14-0990

IN THE SUPREME COURT OF OHIO

APPEAL FROM THE COURT OF APPEALS
FOR CUYAHOGA COUNTY, OHIO
NO. 100522

STATE OF OHIO

Plaintiff-Appellant

vs.

V.M.D.

Defendant-Appellee

**NOTICE OF ADDITIONAL AUTHORITY
[UNDER SEAL]**

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ADDITIONAL AUTHORITY

S.Ct.Prac.R. 16.08 provides: “[e]xcept as provided in S.Ct.Prac.R. 3.13 and S.Ct.Prac.R. 17.08 and 17.09, merit briefs shall not be supplemented. If a relevant authority is issued after the deadline has passed for filing a party’s merit brief, that party may file a citation to the relevant authority but shall not file additional argument.

S.Ct. Prac. R. 17.08 also provides: “[a] party who intends to rely during oral argument on authorities not cited in the merit briefs shall file a list of citations to those authorities no later than seven days before the date of the oral argument. Though this submission is not made within seven days of argument, in the interests of justice, the Appellee requests that this Court accept this filing.

The following cases are relevant to the outcome of this case and shall be relied upon. These cases are:

State v. Guillem, 8th Dist. Cuyahoga No. 75995 , 1999 Ohio App. Lexis 5695, 1999 WL 1087482.

State v. Harper, 3rd Dist. Allen Co. 1-05-79, 2007-Ohio-109.

State v. Miramor, 8th Dist. Cuyahoga No. 50976 1986 Ohio App. LEXIS 8527; 1986 WL 11516 (October 2, 1986).

State v. Still, 11th Dist. Lake No. 93L-195, 1994 Ohio App. LEXIS 5506; 1994 WL 721792 (December 9, 1994).

Respectfully submitted,

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SERVICE

A true and accurate copy of the foregoing was electronically filed with the Supreme Court of Ohio on September 15, 2015. A copy of the foregoing Notice of Additional Authority was sent by ordinary U.S. mail to Diane Smilanick, James M. Price, and Alan Regas, Assistant Prosecuting attorneys, at 1200 Ontario Street, Cleveland, OH 44113 and also by Fax, on September 15, 2015.

/s/ A. Steven Dever
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