IN THE SUPREME COURT OF OHIO

STATE OF OHIO,	:	
Plaintiff-Appellee,	:	
vs.	:	Case No. CA 26191
CLINTON RICHARDSON	:	SC. Case No. 2015-0629/2015-1048
Defendant-Appellant.	:	

MOTION FOR THE APPOINTMENT OF COUNSEL

Defendant-Appellant, Clinton Richardson, requests this Court to appoint Attorney Kristin Arnold as counsel in the above-captioned case. The Second District Court of Appeals for Montgomery County filed an opinion in *State v. Richardson*, CA 26191, dated March 4, 2015, vacating the trial court's decision (Montgomery Common Pleas Case 2012-CR-03299). On April 22, 2015, the State filed a Notice of Certified Conflict to the Ohio Supreme Court and on August 26, 2015, the Ohio Supreme Court granted said notice.

Appellee's Notice of Certified Conflict stated:

> Once the State presents evidence that a person is impaired and has taken a specific prescription medication, is the trier of fact able to draw a reasonable inference that the driver has violated R.C. 4511.19(A)(1)(a) or R.C. 4511.19(A)(2), without evidence (lay or expert) as to how the medication actually affects the driver and/or expert testimony about whether the particular medication has the potential to impair a person's judgment or reflexes?

As such, in the event that this Court orders that supplemental briefing occur, Mr. Richardson requests that this Court appoint Attorney Kristin Arnold to represent him. His indigency status has not changed since April 22, 2015.

Respectfully submitted,

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Attorney for the Defendant Appellant

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Motion for Appointment of Counsel has been forwarded to Tiffany Allen, Montgomery County Prosecutor's Office, 301 West Third Street, 5th Floor, Dayton, Ohio 45422 this 27th day of August 2015.

Kristin L. Arnold, Esq. (#0088794)
Counsel for Appellant – Defendant