

IN THE SUPREME COURT OF OHIO  
Case No. 2015-381

CITY OF CLEVELAND

Plaintiff-Appellee	:	On Appeal from the
		Cuyahoga County Court of
vs	:	Appeals, Eighth Appellate
		District CA 100598
TROUSSAINT JONES	:	
Defendant-Appellant	:	

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MOTION TO SUPPLEMENT THE RECORD

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Case No. 2015-381

CITY OF CLEVELAND :  
  
Plaintiff-Appellee :  
vs :  
TROUSSAINT JONES :  
  
Defendant-Appellant :

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MOTION TO SUPPLEMENT THE RECORD

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Now comes the appellant, Troussaint Jones, by and through undersigned counsel, and pursuant to S.Ct.Prac.R. 15.08, requests this Honorable Court permit him to supplement the record with a recording of the City of Cleveland Municipal Court orientation video played at the initial appearance in every municipal case. The reasons for this motion are set forth in the attached brief.

Respectfully submitted,

/s/ Cullen Sweeney  
CULLEN SWEENEY, ESQ.  
Counsel for Appellant

## BRIEF IN SUPPORT

This Court has accepted the instant jurisdictional appeal to decide whether the Eighth District Court of Appeals correctly decided to accept the City's appeal from Jones' no contest plea and to *sua sponte* vacate that plea for non-compliance with Traf. R. 10. The City had never argued that the plea failed to comply with Traf. R. 10 and the parties never briefed that issue.

As discussed in greater detail in Jones' contemporaneously filed appellant's brief, traffic cases involving petty offenses can be resolved by pleas by "general orientation or pronouncement." Traf. R. 10(D). As such, the Cleveland Municipal Court plays a general orientation video at every criminal defendant's initial appearance that outlines the rights of the defendant and the procedures associated with municipal court. In this approximately five minute video, Administrative Judge Ronald B. Adrine informs defendants about, among other things, the effect of a no contest plea:

There are three possible pleas that you might make. The first is not guilty which is a complete denial of the charges. The second is guilty which is a complete admission of your guilt. The third is no contest which is not an admission of guilt but is an admission of the truth of the facts contained in the complaint. The importance of the no contest plea then is that it cannot be used against you in any subsequent civil or criminal proceeding.

Because compliance with Traf. R. 10 was not an issue raised by the parties, this orientation video was not included in the record considered by the Eighth District. Thus, when the Eighth District held that Jones' plea did not comply with Traf. R. 10, it did so based on an incomplete record.

Troussaint Jones respectfully requests this Court permit him to supplement the record with the orientation video played in Cleveland Municipal Court so that this Court has a complete and accurate picture of what occurred in the trial court below. If this Court reaches the question of whether the trial court complied with Traf. R. 10, this orientation video would clearly be pertinent to the resolution of that question.

Respectfully submitted,

/s/ Cullen Sweeney  
CULLEN SWEENEY  
Counsel for Appellant

CERTIFICATE OF SERVICE

A copy of the foregoing Motion to Supplement was served by ordinary mail upon Bridge E. Hopp, Assistant City Prosecutor, The Justice Center - 8th Floor, 1200 Ontario Street, Cleveland, OH 44113 on this 19th day of October, 2015.

/s/ Cullen Sweeney  
CULLEN SWEENEY  
Counsel for Appellant