

IN THE SUPREME COURT OF OHIO

Case Nos. 2015-0384 & 2015-0385

State of Ohio,)	
)	On appeal from the Sixth District
Appellant,)	Court of Appeals Case No. WD-13-086
)	
vs.)	
)	
Rafael Gonzales,)	
)	
Appellee.)	

**APPELLEE RAFAEL GONZALES' LIST OF ADDITIONAL AUTHORITIES UNDER
S.Ct.PRAC.R.17.08**

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Mr. Gonzales submits the following list of additional authorities for oral argument:

- Former definition of “crack cocaine” at former R.C. 2925.01(GG), deleted in Am.Sub.H.B. 86 (2011) as follows:

~~“Crack cocaine” means a compound, mixture, preparation, or substance that is or contains any amount of cocaine that is analytically identified as the base form of cocaine or that is in a form that resembles rocks or pebbles generally intended for individual use.~~
- Title, Am.Sub.H.B. 86, (stating one purpose of the bill is “to eliminate the difference in criminal penalties for crack cocaine and powder cocaine...”);
- *State v. South*, 144 Ohio St.3d 295, 42 N.E.3d 734, 2015-Ohio-3930, ¶28, O’Connor, C.J., concurring (“I concur fully in the majority's reasoning and holding. I write separately solely for the purpose of emphasizing that our role, as members of the judiciary, requires fidelity to the separation-of-powers doctrine. Accordingly, we must respect that the people of Ohio conferred the authority to legislate solely on the General Assembly. Article II, Section 1, Ohio Constitution. That authority includes the important and meaningful role of defining criminal offenses and assigning punishment for those offenses.”), citing *Sandusky City Bank v. Wilbor*, 7 Ohio St. 481, 487–488 (1857);
- *State v. Earley*, ---N.E.3d---, 2015 WL 6887528, 2015-Ohio-4615, ¶26 (“[W]hen the General Assembly has plainly and unambiguously conveyed its legislative intent, there is nothing for a court to interpret or construe, and therefore, the court applies the law as written.”)

Respectfully submitted,

/s/Andrew R. Mayle (0075622)
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CERTIFICATE OF SERVICE

I hereby certify that on February 2, 2016 a true and accurate copy of the foregoing was e-mailed to counsel for amicus and e-mailed and sent via U.S. Mail to the following:

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