

**IN THE SUPREME COURT OF OHIO**

**STATE OF OHIO**

PLAINTIFF-APPELLEE

-vs-

**WILLIE G. WILKS, JR.**

DEFENDANT-APPELLANT

CASE NO.: **2014-1035**

ON APPEAL FROM **MAHONING  
COUNTY COURT OF COMMON PLEAS.**

COURT OF COMMON PLEAS

Case No. **2013 CR 540**

**DEATH PENALTY CASE**

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**STATE OF OHIO-APPELLEE'S MOTION TO ALLOW THE STATE  
TO REVIEW DOCUMENTS CURRENTLY UNDER SEAL**

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### **Memorandum in Support**

Now comes the State of Ohio-Appellee, and moves this Honorable Court to allow the State to review the sealed documents at the Supreme Court of Ohio Clerk's office.

For cause, this Court previously denied Defendant's request to the unseal the record, but "ordered that counsel for appellant in this case, and counsel for appellant in his post-conviction relief proceedings, may come to the Supreme Court of Ohio Clerk's office to review the sealed documents." (Entry, January 2, 2015.) Here, the State's ability to review the sealed documents is necessary to allow the State to adequately respond to Defendant's merit brief with an intelligent and coherent argument, because Defendant's brief contains several propositions of law that reference and rely upon the sealed documents.

Further, counsel for Defendant in this case does not object to the State's request.

**Wherefore**, the State of Ohio-Appellee, and moves this Honorable Court to allow the State to review the sealed documents at the Supreme Court of Ohio Clerk's office.

**Conclusion**

WHEREFORE, State of Ohio-Appellee hereby requests that this Honorable Court to allow the State to review the sealed documents that are currently under seal.

Respectfully Submitted,

**PAUL J. GAINS, 0020323**  
MAHONING COUNTY PROSECUTOR BY:

/s Ralph M. Rivera

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**Certificate of Service**

I certify that a copy of the State of Ohio's Motion was sent via **Electronic Mail** to counsel for Defendant, **Kathleen McGarry, Esq.**, and **John P. Parker, Esq.**, at [kate@kmcgarrylaw.com](mailto:kate@kmcgarrylaw.com) and [johnpparker@earthlink.net](mailto:johnpparker@earthlink.net) on February 5, 2016.

So Certified,

/s Ralph M. Rivera

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