

IN THE SUPREME COURT OF OHIO
2016

STATE OF OHIO,

Case No.

Plaintiff-Appellant,

-vs-

On Appeal from the
Fifth District Court
of Appeals, Muskingum
County

TROY G. KEPLER,

Court of Appeals

Defendant-Appellee

Case No. CT2015-0021

NOTICE OF PENDING MOTION TO CERTIFY CONFLICT

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and

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COUNSEL FOR DEFENDANT-APPELLEE

NOTICE OF PENDING MOTION TO CERTIFY CONFLICT

Plaintiff-appellant, the State of Ohio, hereby gives notice of a pending motion to certify conflict filed in the Fifth District Court of Appeals on January 20, 2016, after receiving the En Banc Consideration Judgment Entry from the Fifth District, filed on January 11, 2016. This notice is pursuant to S.Ct.Prac.R. 7.07(A)(1): “If a party has perfected a jurisdictional appeal with the Supreme Court in accordance with S.Ct.Prac.R. 7.01(A), but also has timely moved the court of appeals to certify a conflict in the case, that party shall file a notice with the Supreme Court that a motion to certify a conflict is pending in the court of appeals.”

Respectfully submitted,

D. MICHAEL HADDOX 0004913
Muskingum County Prosecuting Attorney

/s Gerald Anderson

GERALD V. ANDERSON II 0092567
Assistant Prosecuting Attorney

Counsel for Plaintiff-Appellant

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing was sent by regular US mail on this ____ day of February, 2016, to Katherine R. Ross-Kinzie, at 250 East Broad Street, Suite 1400, Columbus, Ohio 43215, Counsel for Defendant-Appellee.

/s Gerald Anderson

GERALD V. ANDERSON II 0092567
Assistant Prosecuting Attorney