Supreme Court of Ohio Clerk of Court - Filed July 26, 2016 - Case No. 2016-0441

IN THE SUPREME COURT OF OHIO

STATE OF OHIO,	:	
	:	Case No. 2016-441
Plaintiff-Appellee,	:	
	:	On Appeal from the Scioto County
vs.	:	Court of Appeals
	:	Fourth Appellate District
BUDDY MUTTER,	:	
	:	C.A. Case No. 15-CA-3690
Defendant-Appellant.	:	

MOTION FOR APPOINTMENT OF COUNSEL

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COUNSEL FOR BUDDY MUTTER

MOTION FOR APPOINTMENT OF COUNSEL

Defendant-Appellant, Buddy Mutter, respectfully asks this Court to appoint the Office of the Ohio Public Defender to represent him in this appeal. This Court accepted Mr. Mutter's appeal. *See* June 15, 2016 Entry. The Office of the Ohio Public Defender filed the jurisdictional memorandum that this Court accepted.

This Court should appoint the Office of the Ohio Public Defender because Mr. Mutter is indigent, and was appointed counsel for his direct appeal. *See* Ex. A, April 28, 2015 Appointment Entry. Supreme Court Practice Rule 7.09 reads:

> If the Supreme Court accepts a jurisdictional appeal involving a felony and an unrepresented party to the appeal is indigent, the Supreme Court will appoint the Ohio Public Defender or other counsel to represent the indigent party or order the court of appeals to appoint counsel as provided in S.Ct.Prac.R. 7.01(D)(2).

Accordingly, Mr. Mutter requests that this Court appoint the Office of the Ohio Public Defender as counsel in this case. S.Ct.Prac.R. 7.09.

Respectfully submitted,

OFFICE OF THE OHIO PUBLIC DEFENDER

/s/Peter Galyardt
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COUNSEL FOR BUDDY MUTTER

CERTIFICATE OF SERVICE

A copy of this **Motion** was sent by regular U.S. mail to Jay Willis, Assistant Scioto County Prosecutor, Scioto County Courthouse, 602 7th Street, Room 310, Portsmouth, Ohio 45662, this 26th day of July, 2016.

/s/Peter Galyardt
PETER GALYARDT #0085439
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