

No. \_\_\_\_\_

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***IN THE SUPREME COURT OF THE UNITED STATES***

**James Were,**  
*Petitioner,*

-v-

**State of Ohio,**  
*Respondent.*

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*On Petition for Writ of Certiorari to  
the Supreme Court of Ohio*

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**APPENDIX TO  
PETITION FOR WRIT OF CERTIORARI**

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Neutral

As of: February 5, 2019 5:09 PM Z

*State v. Were*

Supreme Court of Ohio  
November 7, 2018, Decided  
2006-1578.

**Reporter**

2018 Ohio LEXIS 2647 \*; 154 Ohio St. 3d 1422; 2018-Ohio-4496; 111 N.E.3d 20; 2018 WL 5840114

State v. Were.

**Notice:** DECISION WITHOUT PUBLISHED  
OPINION

**Prior History:** *Hamilton App. No. C-030485,*  
*2006-Ohio-3511* [\*1].

*State v. Were, 2006-Ohio-3511, 2006 Ohio App.*  
*LEXIS 3468 (Ohio Ct. App., Hamilton County, July*  
*7, 2006)*

**Opinion**

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**MOTION AND PROCEDURAL RULING**

On appellant's application for reopening.  
Application denied.

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## Ohio S. Ct. Prac. R 4.01

Rules current through rule amendments received through November 20, 2018

*Ohio Court Rules > Rules Of Practice Of The Supreme Court Of Ohio > Section 4. General motions and applications*

### **S.Ct. Prac. R. 4.01. Motions; responses**

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#### **(A) Motion for order or relief.**

(1) Unless otherwise addressed by these rules, an application for an order or other relief shall be made by filing a motion for the order or relief. The motion shall state with particularity the grounds on which it is based.

(2) A motion to stay a lower court's decision pending appeal shall include relevant information regarding bond. A copy of the lower court's decision and any applicable opinion shall be attached to the motion.

#### **(B) Response to a motion.**

(1) If a party files a motion with the Supreme Court, any other party may file a response to the motion within ten days from the date the motion is filed, unless otherwise provided in these rules or by order of the Supreme Court.

(2) A reply to a response to a motion shall not be filed by the moving party. The Clerk of the Supreme Court shall refuse to file a reply to a response to a motion, and motions to waive this rule are prohibited and shall not be filed.

**(C) Supreme Court action.** The Supreme Court may act upon a motion before the deadline for filing a response to the motion, if the interests of justice warrant immediate consideration by the Supreme Court.

### **History**

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Eff 6-1-94. Amended, eff 4-1-96; 4-28-97; 7-1-04; 10-1-05; 1-1-08; 1-1-10; amended 12-5-12, effective 1-1-13.

OHIO RULES OF COURT SERVICE

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