

IN THE SUPREME COURT OF OHIO

IN THE MATTER OF:

LEE ADAMS, JR. ET AL.

CASE NO. 2006-1695

ON APPEAL FROM THE
CUYAHOGA COUNTY COURT
OF APPEALS, EIGHTH
APPELLATE DISTRICT

**MOTION FOR EXTENSION OF TIME FOR CHILDREN'S
ATTORNEY TO FILE REPLY MERIT BRIEF**

COUNSEL FOR APPELLEES

JEAN M. BRANDT, ESQ.
ATTORNEY FOR CHILDREN
1028 KENILWORTH
CLEVELAND, OH 44113
(216)621-1610
(216)621-1633 (fax)

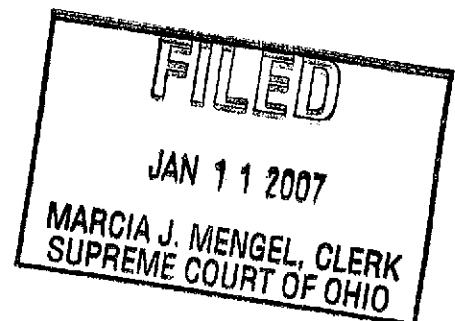
PATRICK LAVELLE, ESQ. (0062070)
123 WEST PROSEPT AVE. #250
CLEVELAND, OH 44115
(216)621-9870
COUNSEL OF RECORD FOR MICHELLE ADAMS

CHRISTOPHER HORN, ESQ. (0026048)
3030 EUCLID AVE. #406
CLEVELAND, OH 44115
(216)431-1636
COUNSEL OF RECORD FOR LEE ADAMS

JODI M. WALLACE, ESQ. (0068987)
6495 BRECKSVILLE RD. SUITE 3
INDEPENDENCE, OH 44131
(216)901-0219
GUARDIAN AD LITEM FOR CHILDREN

COUNSEL FOR APPELLANT:

JOSEPH C. YOUNG, ESQ.
PROSECUTING ATTORNEY
CUYAHOGA COUNTY
8111 QUINCY AVE., RM 341
CLEVELAND, OH 4104
(216)391-6093
(216)391-6134 (fax)
COUNSEL FOR APPELLANTS CCDCFS



INTRODUCTION

Now comes Appellees, Lee Adams, Jr. et al, by and through counsel, and respectfully moves this Honorable Court pursuant to Ohio Supreme Court Rules of Practice 14 sections 3(B)(2)(b) and 4 to grant an extension of time to for the children's attorney to file a reply to the CCDCFS merit brief in this within matter for the reasons set forth in the memorandum attached hereon and incorporated herein.

BRIEF IN SUPPORT

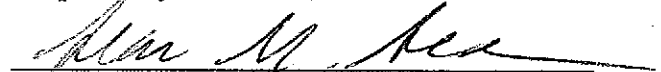
On July 1, 2004, the undersigned counsel was appointed by the Juvenile Division of the Cuyahoga County Court of Common Pleas to represent the children in this matter before that Court. The matter was fully litigated before that Court and on January 31, 2006, that Honorable Court denied the Cuyahoga County Department of Children and Family Services's (CCDCFS) Motion to Modify Temporary Custody to Permanent Custody. Subsequent to that ruling, the CCDCFS filed an appeal with the Court of Appeals, Eighth Judicial District of Ohio. That Court dismissed the appeal, stating that the matter was not a final appealable order. Said decision was journalized by the Clerk of Court on June 20, 2006.

The Cuyahoga County Prosecutor's Office filed a Notice of Appeal to the Supreme Court of Ohio and a Memorandum in Support of Jurisdiction of Appellant, on or about September 11, 2006, Case No. 2006-1695. The children are now Appellees in the matter before the Supreme Court of Ohio. The undersigned counsel's original appointment as counsel of record for Lee Adams, Jr. et. al. was terminated for purposes of the CCDCFS's appeal upon the appointment of Attorney Jeffrey Froude by this Honorable Court on May 18, 2006 to represent the children in

the appeal filed by CCDCFS. Subsequently his appointment would have been terminated upon that Honorable Court's journalization of their decision to dismiss the appeal. As a result, Lee Adams, Jr. et. al. do not have legal counsel representing them for the purposes of the Appeal in the Supreme Court of Ohio. A motion to appoint counsel for the matter pending before this court was filed on the children's behalf in the Court of Appeals, Eighth Judicial District of Ohio, a copy of which is attached hereon as Exhibit A.

WHEREFORE, the Adam's children, by and through counsel, requests that this Honorable Court extend the time for the children, who are subject matter of this within appeal, to file a their Reply to CCDCFS Merit Brief in this matter. This request is being made so as to allow for appointment of counsel for the children, which has not yet occurred. This request is not made to further delay this matter but to preserve the rights of the children who are the subject matter of this within case.

Respectfully submitted,



Atty. Jean M. Brandt, Sup. Ct. No. 0041487
1028 Kenilworth Ave.
Cleveland, Ohio 44113
(216) 621-1610

CERTIFICATE OF SERVICE

A copy of the foregoing Motion for Extension of Time to File a Merit Brief was served,
by regular U.S. Mail to this 10th day of January , 2007 on:

JOSEPH C. YOUNG, ESQ.
Asst. Prosecuting Attorney,
Cuyahoga County
8111 QUINCY AVE. RM. 341
CLEVELAND, OH 44104

PATRICK LAVELLE, ESQ.
123 WEST PROSEPCT AVE. #250
CLEVELAND, OH 44115


CHRISTOPHER HORN, ESQ.
3030 EUCLID AVE. #406
CLEVELAND, OH 44115

JODI M. WALLACE, ESQ.
6495 BRECKSVILLE RD. SUITE 3
INDEPENDENCE, OH 44131

JEFFREY FROUDE, ESQ.
12558 CLIFTON RD.
LAKEWOOD, OH 44107

NANCY SCARCELLA, ESQ.
4403 ST. CLAIR AVE.
CLEVELAND, OH 44103

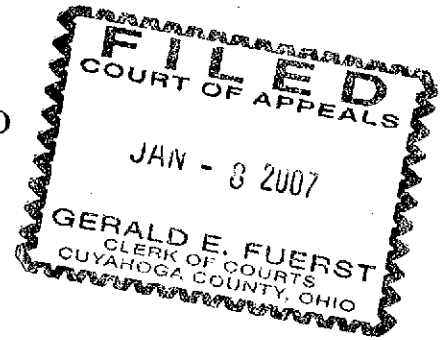
CHRISTOPHER LENEHAN, ESQ.
614 SUPERIOR AVE. #1300
CLEVELAND, OH 44113



Atty. Jean M. Brandt

IN THE COURT OF APPEALS
EIGHTH JUDICIAL DISTRICT OF OHIO
CUYAHOGA COUNTY, OHIO

COURT OF APPEALS NO. 87881



IN THE MATTER OF:) LOWER CASE NO. 03901846 - 848
LEE ADAMS, JR. ET AL.)

MOTION FOR APPOINTMENT OF COUNSEL FOR THE SUPREME COURT OF OHIO

COUNSEL FOR APPELLEES

JEAN M. BRANDT, ESQ.
ATTORNEY FOR CHILDREN
1028 KENILWORTH
CLEVELAND, OH 44113

PATRICK LAVELLE, ESQ. (0062070)
123 WEST PROSEPT AVE. #250
CLEVELAND, OH 44115
(216)621-9870
COUNSEL OF RECORD FOR MICHELLE ADAMS

CHRISTOPHER HORN, ESQ. (0026048)
3030 EUCLID AVE. #406
CLEVELAND, OH 44115
(216)431-1636
COUNSEL OF RECORD FOR LEE ADAMS

JODI M. WALLACE, ESQ. (0068987)
6495 BRECKSVILLE RD. SUITE 3
INDEPENDENCE, OH 44131
(216)901-0219
GUARDIAN AD LITEM FOR CHILDREN

COUNSEL FOR APPELLANT:

JOSEPH C. YOUNG, ESQ.
PROSECUTING ATTORNEY
CUYAHOGA COUNTY
8111 QUINCY AVE., RM 341
CELVELAND, Ohio 44104

Exhibit A-1

CHRISTOPHER LENEHAN, ESQ.
614 SUPERIOR AVE. #1300
CLEVELAND, OH 44113
ATTORNEY FOR APPELLEE FATHER

JEFFREY FROUDE, ESQ.
12558 CLIFTON RD.
LAKEWOOD, OH 44107
ATTORNEY FOR APPELLEE CHILDREN

NANCY SCARCELLA, ESQ.
4403 ST. CLAIR AVE.
CLEVELAND, OH 44103
ATTORNEY FOR APPELLEE MOTHER

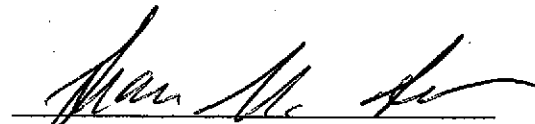
IN THE COURT OF APPEALS
EIGHTH JUDICIAL DISTRICT OF OHIO
CUYAHOGA COUNTY, OHIO

COURT OF APPEALS NO. 87881

IN THE MATTER OF:)	LOWER CASE NO. 03901846 -848
)	
LEE ADAMS, JR. ET AL.)	
)	<u>MOTION FOR APPOINTMENT OF</u>
)	<u>COUNSEL FOR THE SUPREME</u>
)	<u>COURT OF OHIO</u>

Now comes Appellees, Lee Adams, Jr. et al, by and through counsel, and respectfully requests that this Honorable Court appoint counsel to represent the children as Appellees in the matter pending before the Supreme Court of Ohio, Case No.2006-1695, filed by the Cuyahoga County Prosecutor's Office as a result of the decision of this Honorable Court in the herein matter journalized on June 20, 2006.

Respectfully submitted,



Atty. Jean M. Brandt
Atty. Reg. No. 0041487
Attorney on behalf of children
1028 Kenilworth Ave.
Cleveland, Ohio 44113
(216) 621-1610

BRIEF IN SUPPORT

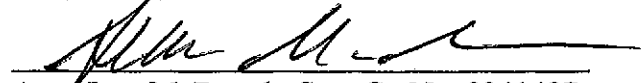
On July 1, 2004, the undersigned counsel was appointed by the Juvenile Division of the Cuyahoga County Court of Common Pleas to represent the children in this matter before that Court. The matter was fully litigated before that Court and on January 31, 2006, that Honorable Court denied the Cuyahoga County Department of Children and Family Services's (CCDCFS) Motion to Modify Temporary Custody to Permanent Custody. Subsequent to that ruling, the CCDCFS filed an appeal with this Honorable Court. This Court dismissed that appeal, stating that the matter was not a final appealable order. Said decision was journalized by the Clerk of Court on June 20, 2006.

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WHEREFORE, the Adam's children, by and through counsel, requests that this Honorable Court appoint legal counsel to represent them in the matter pending in the Supreme

Court of Ohio. If this Court should so prefer, the undersigned counsel would be willing to represent the children in the matter before the Supreme Court of Ohio.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Jean M. Brandt', is written over a horizontal line.

Atty. Jean M. Brandt, Sup. Ct. No. 0041487
1028 Kenilworth Ave.
Cleveland, Ohio 44113
(216) 621-1610

CERTIFICATE OF SERVICE

A copy of the foregoing Motion for Appointment of Counsel for the Supreme Court of Ohio was served, by regular U.S. Mail to this 8th day of January , 2007

JOSEPH C. YOUNG, ESQ.
Asst. Prosecuting Attorney,
Cuyahoga County
8111 QUINCY AVE. RM. 341
CLEVELAND, OH 44104


PATRICK LAVELLE, ESQ.
123 WEST PROSEPCT AVE. #250
CLEVELAND, OH 44115

CHRISTOPHER HORN, ESQ.
3030 EUCLID AVE. #406
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12558 CLIFTON RD.
LAKEWOOD, OH 44107

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4403 ST. CLAIR AVE.
CLEVELAND, OH 44103



Atty. Jean M. Brandt