

THE STATE OF OHIO
Plaintiffs

Case Number: CR-21- 657235

VS

COA Case Number: CA-21- 110833
PAGINATION OF RECORD RULE 10B OF
APPELLATE PROCEDURE

JAMES W JONES
Defendant

- | | | |
|-----|---|---|
| 1 | Filing Date: 02/22/2021
Proceeding Date:
02/19/2021
* NO IMAGE OR HARD
COPY AVAILABLE * | ARRESTED 02/19/2021 |
| | Filing Date: 02/22/2021
Proceeding Date:
02/19/2021
* NO IMAGE OR HARD
COPY AVAILABLE * | DATE OF OFFENSE 02/19/2021 |
| 3 | Filing Date: 02/26/2021
Proceeding Date:
02/19/2021
* NO IMAGE OR HARD
COPY AVAILABLE * | \$20000 10% BOND POSTED ON 02/19/2021 BY
DEFENDANT. BOND NO. 753719 RECEIPT NO.
218000000320 |
| ✓ 4 | Filing Date: 02/22/2021
Proceeding Date:
02/22/2021 | CASE INFORMATION ENTERED |
| ✓ 5 | Filing Date: 02/25/2021
Proceeding Date:
02/25/2021
* NO IMAGE OR HARD
COPY AVAILABLE * | BINDOVER CIF#CI211899BO |
| 6 | Filing Date: 02/25/2021
Proceeding Date:
02/25/2021
* NO IMAGE OR HARD
COPY AVAILABLE * | MUNICIPAL COURT RECORD RECEIVED. |
| 7 | Filing Date: 02/25/2021
Proceeding Date:
02/25/2021
* NO IMAGE OR HARD
COPY AVAILABLE * | 10% CASH BOND SET , AMOUNT \$20,000.00 /
COMPANION CASE NUMBER TRC2100975 335.07A HABIT
SUSP, 335.071 DUS, 4510.037J DRV UN 12 PT SUSP ,
335.07A DUS. 4510.21 DUS , 335.074 DUS, 335.01 NO OL
COMBINED WITH FELONY CASE NUMBER CRA2100159 /
DEFENDANT TO BE PLACED ON ELECTRONIC
MONITORING / WITH ALCOHOL MONITORING |

THE STATE OF OHIO
Plaintiffs

Case Number: CR-21- 657235

VS

COA Case Number: CA-21- 110833
PAGINATION OF RECORD RULE 10B OF
APPELLATE PROCEDURE

JAMES W JONES
Defendant

-
- | | | |
|------|---|---|
| 8 | Filing Date: 02/26/2021
Proceeding Date:
02/26/2021
* NO IMAGE OR HARD
COPY AVAILABLE * | REPARATION FEE RC 2743.70 ; 2937.22 ; 2949.091 \$85.00 |
| 9 | Filing Date: 03/04/2021
Proceeding Date:
03/04/2021
* NO IMAGE OR HARD
COPY AVAILABLE * | PANDEMIC RESPONSE MEETING SET FOR 03/17/2021 AT
09:30 AM (Notice Sent). |
| ✓ 10 | Filing Date: 03/05/2021
Proceeding Date:
03/05/2021 | INDICTED BINDOVER ON 03/05/2021 |
| ✓ 11 | Filing Date: 03/05/2021
Proceeding Date:
03/05/2021 | SUMMONS - CRIMINAL(43849755) SENT BY CERTIFIED
MAIL. TO: JONES/JAMES/W 3874 SUMMIT PARK ROAD
CLEVELAND HEIGHTS, OH 441180000 |
| 12 | Filing Date: 03/08/2021
Proceeding Date:
03/05/2021
* NO IMAGE OR HARD
COPY AVAILABLE * | ARRAIGNMENT SCHEDULED FOR 03/31/2021. |
| ✓ 13 | Filing Date: 03/17/2021
Proceeding Date:
03/17/2021 | USPS RECEIPT NO. 43849755 DELIVERED BY USPS
03/10/2021 JONES/JAMES/W PROCESSED BY COC
03/17/2021. |
| 14 | Filing Date: 03/17/2021
Proceeding Date:
03/17/2021
* NO IMAGE OR HARD
COPY AVAILABLE * | ARRAIGNMENT SCHEDULED FOR 03/31/2021 AT 01:00
PM IS CANCELLED. JUDGE: ARRAIGNMENT ROOM
(ARRAIGN) REASON: PER ARRAIGNMENT ROOM (notice
sent). |
| 15 | Filing Date: 03/17/2021
Proceeding Date:
03/17/2021
* NO IMAGE OR HARD
COPY AVAILABLE * | ARRAIGNMENT PREVIOUSLY SCHEDULED FOR
03/31/2021 AT 01:00 PM IS RESCHEDULED FOR 03/24/2021
AT 01:00 PM.. |

THE STATE OF OHIO
Plaintiffs

VS

JAMES W JONES
Defendant

Case Number: CR-21- 657235

COA Case Number: CA-21- 110833
PAGINATION OF RECORD RULE 10B OF
APPELLATE PROCEDURE

-
- ✓ 16 Filing Date: 03/24/2021
Proceeding Date:
03/24/2021 DEFENDANT PRESENT WITH COUNSEL. DEFENDANT
RETAINED SAFFOLD, SYDNEY STRICKLAND AS
COUNSEL. READING OF INDICTMENT WAIVED.
TWENTY-FOUR HOUR SERVICE WAIVED. DEFENDANT
PLEAD NOT GUILTY TO INDICTMENT. ORIG BOND
CONT AT 20,000.00 DOLLARS. BOND TYPE: 10% CASH.
BOND CONDITIONS: COURT SUPERVISED RELEASE
JUDGE SUTULA, KATHLEEN ANN (304). ASSIGNED
(MANUALLY). FIRST PRETRIAL SET FOR 04/06/2021 AT
11:00 AM IN COURT ROOM JC23D JUDGE KATHLEEN
ANN. SUTULA.
- ✓ 17 Filing Date: 03/25/2021
Proceeding Date:
03/25/2021 STATE'S NOTICE OF RECEIPT OF DEMAND FOR
DISCOVERY FILED
- ✓ 18 Filing Date: 03/29/2021
Proceeding Date:
03/29/2021 STATE'S DEMAND FOR DISCOVERY, FILED.
- ✓ 19 Filing Date: 03/29/2021
Proceeding Date:
03/29/2021 STATE'S RESPONSE TO REQUEST FOR DISCOVERY
UNDER RULE 16, FILED.
- ✓ 20 Filing Date: 04/13/2021
Proceeding Date:
04/06/2021 ATTY. SYDNEY SAFFOLD AND ASST. PROS. MIKE
MARTINEZ CONDUCTED INITIAL PRETRIAL BY
PHONE. PRETRIAL SET FOR 04/20/2021 AT 09:00 AM. AT
THE REQUEST OF DEFENDANT. REASON FOR
CONTINUANCE: FIRST PRETRIAL WAS HELD ON
TODAY'S DATE. DISCOVERY ONGOING. 04/06/2021
CP1RB 04/06/2021 13:03:32
- ✓ 21 Filing Date: 04/22/2021
Proceeding Date:
04/20/2021 ATTY. SYDNEY SAFFOLD AND ASST. PROS. MIKE
MARTINEZ CONDUCTED PRETRIAL BY PHONE.
PRETRIAL SET FOR 04/29/2021 AT 10:45 AM. AT THE
REQUEST OF DEFENDANT. REASON FOR
CONTINUANCE: ATTY. SAFFOLD IS REQUESTING
ADDITIONAL TIME TO MEET WITH THE DEFENDANT.
04/20/2021 CP1RB 04/21/2021 11:54:32
- ✓ 22 Filing Date: 04/29/2021
Proceeding Date: THE COURT ORDERS THE DEFENDANT TO BE PLACED
ON HOME DETENTION AND ON AN ALCOHOL

THE STATE OF OHIO
Plaintiffs

Case Number: CR-21- 657235

VS

COA Case Number: CA-21- 110833
PAGINATION OF RECORD RULE 10B OF
APPELLATE PROCEDURE

JAMES W JONES
Defendant

04/29/2021

MONITORING UNIT (SCRAM). DEFENDANT TO ABIDE
BY ALL THE CONDITIONS OF THE PROBATION
DEPARTMENT - CSR UNIT. 04/29/2021 CP1RB
04/29/2021 10:34:12

Filing Date: 05/05/2021
Proceeding Date:
04/29/2021

ATTY. SYDNEY SAFFOLD AND ASST. PROS. MIKE
MARTINEZ CONDUCTED IN-PERSON PRETRIAL.
PRETRIAL SET FOR 05/12/2021 AT 09:00 AM. AT THE
REQUEST OF DEFENDANT. REASON FOR
CONTINUANCE: PLEA NEGOTIATIONS ONGOING.
04/29/2021 CP1RB 05/05/2021 11:01:18

24

Filing Date: 05/13/2021
Proceeding Date:
05/12/2021

ATTY. SYDNEY SAFFOLD AND ASST. PROS. MIKE
MARTINEZ CONDUCTED PRETRIAL BY PHONE.
PRETRIAL SET FOR 05/27/2021 AT 09:00 AM. AT THE
REQUEST OF DEFENDANT. REASON FOR
CONTINUANCE: PLEA NEGOTIATIONS ONGOING.
FINAL PRETRIAL SET FOR 08/05/2021 AT 09:00 AM.
TRIAL SET FOR 08/16/2021 AT 09:00 AM. AT THE
REQUEST OF DEFENDANT. THE EARLIEST TRIAL DATE
AVAILABLE ON COUNSELS CALENDAR IS 08-16-2021.
COUNSEL FOR THE STATE AND COUNSEL FOR THE
DEFENDANT ARE EACH TO SUBMIT A COMPLETE
PROPOSED JURY CHARGE AND 2 COPIES OF EACH
EXHIBIT WHICH MAY BE UTILIZED AT TRIAL TO THE
COURT ON OR BEFORE 08-09-2021. IN LIEU OF HARD
COPIES, COUNSEL MAY INSTALL EXHIBITS ON THE
COURT'S COMPUTERS WITH ASSISTANCE OF THE
COURT'S STAFF ATTORNEY. STATE WILL NUMBER
THEIR EXHIBITS WHILE THE DEFENDANTS WILL USE
THE ALPHABET FOR IDENTIFICATION PURPOSES. SAID
CHARGE MUST BE TYPED ON 8.5X11 PAPER USING
TIMES NEW ROMAN, FONT SIZE 16. TYPED CHARGES
NOT TO BE SUBMITTED IN ALL CAPITAL LETTERS.
SAID PROPOSED CHARGE MUST CONTAIN ALL
CHARGES/DEFINITIONS WHICH MAY/MIGHT BE
REQUESTED, INCLUDING BUT NOT LIMITED TO:
FLIGHT, DELAY, OTHER ACTS, SELF-DEFENSE, LESSER-
INCLUDED, INFERIOR OFFENSE, ETC. COUNSEL SHALL
ALSO PROVIDE A DISC CONTAINING THE ENTIRE
CHARGE AS SUBMITTED IN MS WORD FORMAT ONLY.
(PLEASE DO NOT PROVIDE JURY CHARGE IN .PDF

THE STATE OF OHIO
Plaintiffs

Case Number: CR-21- 657235

VS

COA Case Number: CA-21- 110833
PAGINATION OF RECORD RULE 10B OF
APPELLATE PROCEDURE

JAMES W JONES
Defendant

FORMAT) 2 COPIES OF ALL EXHIBITS PROPERLY
NUMBERED OR LETTERED MUST BE DELIVERED TO
THE COURT IN HARD-COPY NO LATER THAN 3 DAYS
PRIOR TO THE SCHEDULED TRIAL DATE.

05/12/2021 CP1RB 05/12/2021 13:26:08

✓ 25 Filing Date: 06/01/2021
Proceeding Date:
05/27/2021
ATTY. SYDNEY SAFFOLD AND ASST. PROS. MIKE
MARTINEZ CONDUCTED PRETRIAL BY PHONE.
PRETRIAL SET FOR 06/10/2021 AT 09:00 AM. AT THE
REQUEST OF DEFENDANT. REASON FOR
CONTINUANCE: PLEA NEGOTIATIONS ONGOING.
PRETRIAL IS IN-PERSON. ATTY. SAFFOLD AND
DEFENDANT TO BE PRESENT IN COURT. 05/27/2021
CP1RB 05/27/2021 12:25:18

✓ 26 Filing Date: 07/01/2021
Proceeding Date:
06/10/2021
ATTY. SYDNEY SAFFOLD AND ASST. PROS. MIKE
MARTINEZ CONDUCTED IN-PERSON PRETRIAL.
PRETRIAL SET FOR 07/01/2021 AT 09:00 AM. AT THE
REQUEST OF DEFENDANT. REASON FOR
CONTINUANCE: ATTY. SAFFOLD IS PRESENTLY IN
TRIAL IN JUDGE STEVE GALL'S ROOM ON CR-649123.
FINAL PRETRIAL REMAINS SET FOR 08/05/2021 at 09:00
AM. TRIAL REMAINS SET FOR 08/16/2021 AT 09:00 AM.
06/10/2021 CP1RB 07/01/2021 14:19:27

✓ 27 Filing Date: 07/01/2021
Proceeding Date:
07/01/2021
ATTY. SYDNEY SAFFOLD AND ASST. PROS. MIKE
MARTINEZ CONDUCTED PRETRIAL BY PHONE.
PRETRIAL SET FOR 07/14/2021 AT 09:00 AM. AT THE
REQUEST OF DEFENDANT. REASON FOR
CONTINUANCE: PLEA NEGOTIATIONS ONGOING.
FINAL PRETRIAL REMAINS SET FOR 08/05/2021 at 09:00
AM. TRIAL REMAINS SET FOR 08/16/2021 AT 09:00 AM.
07/01/2021 CP1RB 07/01/2021 14:23:04

✓ 28 Filing Date: 07/02/2021
Proceeding Date:
07/02/2021
SUPPLEMENTAL DISCOVERY RESPONSE TO REQUEST
FOR DISCOVERY UNDER RULE 16, FILED.

✓ 29 Filing Date: 07/15/2021
Proceeding Date:
07/13/2021
ATTY. DANNY TIRFAGNEHU FOR SYDNEY SAFFOLD
AND ASST. PROS. MIKE MARTINEZ PRESENT AT
PRETRIAL. PLEA NOT TAKEN. PRETRIAL SET FOR
07/15/2021 AT 10:00 AM. AT THE REQUEST OF

THE STATE OF OHIO
Plaintiffs

Case Number: CR-21- 657235

VS

COA Case Number: CA-21- 110833
PAGINATION OF RECORD RULE 10B OF
APPELLATE PROCEDURE

JAMES W JONES
Defendant

DEFENDANT. REASON FOR CONTINUANCE: ATTY.
SYDNEY SAFFOLD NEEDS TO BE PRESENT TO COVER
THE PLEA. 07/13/2021 CP1RB 07/14/2021 13:50:12

DEFENDANT IN COURT WITH COUNSEL SYDNEY
STICKLAND SAFFOLD. PROSECUTING ATTORNEY(S)
LISA TUROSO PRESENT. COURT REPORTER GRETCHEN
WILDEBURG PRESENT. DEFENDANT FULLY ADVISED
IN OPEN COURT OF HIS/HER CONSTITUTIONAL RIGHTS
AND PENALTIES. ON RECOMMENDATION OF
PROSECUTOR COUNT(S) 2 IS/ARE AMENDED TO
PHYSICAL CONTROL OF VEHICLE WHILE UNDER THE
INFLUENCE 4511.194 B(1) M1. DEFENDANT RETRACTS
FORMER PLEA OF NOT GUILTY AND ENTERS A PLEA
OF GUILTY TO PHYSICAL CONTROL OF VEHICLE
WHILE UNDER THE INFLUENCE 4511.194 B(1) M1 AS
AMENDED IN COUNT(S) 2 OF THE INDICTMENT.
COUNT(S) 1 IS/ARE NOLLED. COURT ACCEPTS
DEFENDANT'S GUILTY PLEA. THE DEFENDANT IS
REFERRED TO THE COUNTY PROBATION
DEPARTMENT FOR A PRE-SENTENCE INVESTIGATION
AND REPORT. ORIGINAL BOND CONTINUED.
SENTENCING SET FOR 08/19/2021 AT 08:30 AM.
SENTENCING MEMORANDUM AND / OR LETTERS OF
SUPPORT ARE DUE IN COURT BY NOON ON 08-12-2021.
ALL LETTERS SUBMITTED ARE TO BE TYPE-WRITTEN,
DOUBLE-SPACED, AND IN FONT 16. 07/15/2021
CP1RB 07/15/2021 11:09:58

PLEAD GUILTY OR NO CONTEST TO AMENDED OR
LESSER INCLUDED OFFENSE SENTENCED TO TIME
SERVED MUST PAY COST

STATEMENT OF COURT COST SENT TO
CORRECTIONAL INSTITUTION FOR COLLECTION

NOTICE OF APPEAL FILED BY DEFENDANT'S COUNSEL.

✓ 30 Filing Date: 07/15/2021
Proceeding Date:
07/15/2021

✓ 31 Filing Date: 08/19/2021
Proceeding Date:
08/19/2021
* NO IMAGE OR HARD
COPY AVAILABLE *

32 Filing Date: 08/20/2021
Proceeding Date:
08/20/2021
* NO IMAGE OR HARD
COPY AVAILABLE *

✓ 33 Filing Date: 09/17/2021

THE STATE OF OHIO
Plaintiffs

VS

JAMES W JONES
Defendant

Case Number: CR-21- 657235

COA Case Number: CA-21- 110833
PAGINATION OF RECORD RULE 10B OF
APPELLATE PROCEDURE

Proceeding Date:
09/17/2021

COA # 110833

FILED
Court of Appeals

APR 10 2023

Clerk of Courts
Cuyahoga County, Ohio

Ohio Supreme Court Rule V.
In the Court of Appeals
8th Appellate District
Court of Appeals Case No: CA21110833
Ohio Supreme Court Case No: 2022 1049
Notice of Appeal filed: 04-05-2023

- Index of the Record

STATE OF OHIO
Appellee

-vs-

JAMES W JONES
Appellant

PROCESSED

APR 10 2023

IMAGING DEPARTMENT

Pagination

- | | | | |
|---|---|------------|--|
| ✓ | 1 | 09/17/2021 | CASE INITIATED: NOTICE OF APPEAL, PRAECIPE AND DOCKETING STATEMENT |
| ✓ | 2 | 09/17/2021 | NOTICE OF APPEAL FILED FROM COMMON PLEAS CRIMINAL COURT, CASE # 657235-A WITH 9B PRAECIPE, DOCKETING STATEMENT (REG), JOURNAL ENTRY, AND DOCKET SHEET. |
| ✓ | 3 | 10/27/2021 | TRANSCRIPT OF PROCEEDINGS FILED BY APPELLANT. 1 VOL IN THE FILE. |
| ✓ | 4 | 10/27/2021 | ORIGINAL PAPERS FILED BY TRIAL COURT. (CUYAHOGA COUNTY COURT OF COMMON PLEAS CRIMINAL DIVISION CASE NUMBER CR-21-657235-A) |
| ✓ | 5 | 11/15/2021 | MOTION FOR... EXTENSION OF TIME TO FILE BRIEF 07/05/2022 - UNKNOWN |
| ✓ | 6 | 11/16/2021 | Motion by Appellant to extend time to file assignments of error and brief is granted. Appellant's brief is due on or before December 6, 2021. Further extension will be at the discretion of the Administrative Judge and will only be granted for exigent circumstances. Notice issued. |
| ✓ | 7 | 12/03/2021 | MOTION TO... CONSOLIDATE 07/05/2022 - UNKNOWN |
| ✓ | 8 | 12/03/2021 | MOTION FOR... EMERGENCY EXTENSION TO FILE BRIEF 07/05/2022 - UNKNOWN |

CA21110833

143874800



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- ✓ 9 12/06/2021 Motion by Appellant to extend time to file assignments of error and brief is granted. Appellant's brief is due on or before December 27, 2021. This is the appellant's second request for an extension. No further extension will be considered. Failure to file the brief will result in the dismissal of the appeal. Notice issued.
- ✓ 10 12/09/2021 Motion by appellant to consolidate appeal 110833 with appeal 111020 for briefing, hearing, and disposition is granted. The combined brief will be due 20 days after the App.R 9(A) record is filed in Appeal No. 111020. When filing future motions, counsel shall file only one motion under the lowest appellate number (110833) and reference both appeal numbers. Notice issued.
- ✓ 11 01/18/2022 APPELLANT'S BRIEF FILED.
- ✓ 12 02/04/2022 Motion by Appellee to extend time to file answer brief is granted in part. First extensions are limited to 20 days. Appellee's brief is due on or before February 28, 2022. Further extension will be at the discretion of the Administrative Judge and will only be granted for exigent circumstances. Notice issued.
- ✓ 13 02/04/2022 MOTION FOR... MOTION FOR EXTENSION OF TIME TO FILE BRIEF OF APPELLEE 07/05/2022 - UNKNOWN
- ✓ 14 02/28/2022 APPELLEE'S BRIEF FILED.
- ✓ 15 03/10/2022 MOTION FOR... EXTENSION FOR REPLY BRIEF 07/05/2022 - UNKNOWN
- ✓ 16 03/11/2022 Motion by Appellant to extend time to file reply brief is granted. Appellant's reply brief is due on or before March 21, 2022. Further extension will be at the discretion of the Administrative Judge and will only be granted for exigent circumstances. Notice issued.
- ✓ 17 03/20/2022 REPLY BRIEF OF APPELLANT FILED
- ✓ 18 04/29/2022 NOTICE OF... INTENT TO PARTICIPATE IN ORAL ARGUMENT
- ✓ 19 05/27/2022 NOTICE OF... ADDITIONAL AUTHORITY
- ✓ 20 06/23/2022 Affirmed and remanded. >Frank Daniel Celebrezze, III, P.J., Mary Eileen Kilbane, J., and Eileen T. Gallagher, J., concur. Notice issued.

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- ✓ 21 08/16/2022 ORIGINAL PAPERS RETURNED TO TRIAL COURT. APPEALED TO THE OSC HOLD
- ✓ 22 08/23/2022 NOTICE OF APPEAL TO THE OHIO SUPREME COURT FILED BY APPELLANT'S COUNSEL. OSC NO 2022-1049.
- ✓ 23 04/05/2023
///// THE SUPREME COURT OF OHIO CASE NUMBER 2022-1049 \\\ 4/5/23 ORDER TO CERTIFY RECORD PURSUANT TO RULE 15.03 AND 15.06, OF THE RULES OF PRACTICE OF THE SUPREME COURT OF OHIO, YOU ARE HEREBY ORDERED TO PREPARE AND FORWARD TO THE CLERK'S OFFICE THE RECORD IN THE ABOVE-CAPTIONED CASE AS FOLLOWS: THE RECORD SHALL CONSIST OF THE ORIGINAL PAPERS EXHIBITS TO THOSE PAPERS; THE TRANSCRIPT OF PROCEEDINGS AND EXHIBITS, ALONG WITH A COMPUTER DISKETTE OF THE TRANSCRIPT, IF AVAILABLE; AND CERTIFIED COPIES OF THE JOURNAL ENTRY AND THE DOCKET PREPARED BY THE CLERK OF COURT OR OTHER CUSTODIAN OF THE ORIGINAL PAPERS. THE RECORD SHALL INCLUDE, WHERE APPLICABLE, ALL THE ABOVE ITEMS FROM BOTH THE COURT OF APPEALS AND TRIAL COURT CASES. THE RECORD SHALL BE TRANSMITTED ALONG WITH AN INDEX THAT LISTS ALL ITEMS INCLUDED IN THE RECORD. ALL EXHIBITS LISTED IN THE INDEX SHALL BE BRIEFLY DESCRIBED, AND A COPY OF THE INDEX MUST BE SENT TO ALL COUNSEL OF RECORD IN THE CASE. ONLY VIDEOTAPE EXHIBITS, AUDIOTAPE EXHIBITS, AND DOCUMENTS SUCH AS PAPERS, MAPS OR PHOTOGRAPHS SHALL BE TRANSMITTED. THE FOLLOWING ITEMS SHALL NOT BE TRANSMITTED AT THIS TIME: ANY PHYSICAL EXHIBITS OTHER THAN THE ITEMS LISTED ABOVE (I.E., CLOTHING, WEAPONS, ETC.) DOCUMENTS OF UNUSUAL SIZE, BULK, OR WEIGHT. THOSE EXHIBITS OR DOCUMENTS THAT ARE NOT TRANSMITTED SHALL BE DESIGNATED IN THE INDEX, AND THEIR CUSTODIAN MUST ALSO BE IDENTIFIED IN THE INDEX. THE RECORD SHALL BE TRANSMITTED TO THE CLERK'S OFFICE WITHIN 20 DAYS OF THE DATE OF THIS ORDER. IF THE CASE INVOLVES TERMINATION OF PARENTAL RIGHTS OR ADOPTION OF A MINOR CHILD, OR BOTH, PREPARATION AND TRANSMISSION OF THE RECORD SHALL BE EXPEDITED AND GIVEN PRIORITY OVER PREPARATION AND TRANSMISSION OF THE RECORD IN OTHER CASES. SHARON L KENNEDY CHIEF JUSTICE



24

04/05/2023

/// THE SUPREME COURT OF OHIO \\\ ENTRY CASE NO.
2022-1049 UPON CONSIDERATION OF THE
JURISDICTIONAL MEMORANDA FILED IN THIS CASE,
THE COURT ACCEPTS THE APPEAL PROPOSITION OF
LAW NO. II ONLY. THE CLERK SHALL ISSUE AN ORDER
FOR THE TRANSMITTAL OF THE RECORD FROM THE
COURT OF APPEALS FOR CUYAHOGA COUNTY, AND
THE PARTIES SHALL BRIEF THIS CASE IN
ACCORDANCE WITH THE RULES OF PRACTICE OF THE
SUPREME COURT OF OHIO. (CUYAHOGA COUNTY
COURT OF APPEALS; NOS. 110833 AND 1110200
SHARON L KENNEDY CHIEF JUSTICE

- Index of the Record

FILED
Court of Appeals

APR 10 2023

Clerk of Courts
Cuyahoga County, OhioOhio Supreme Court Rule V.
In the Court of Appeals
8th Appellate District
Court of Appeals Case No: CA21111020
Ohio Supreme Court Case No: 2022 1049
Notice of Appeal filed: 04-05-2023STATE OF OHIO
Appellee

-vs-

JAMES W JONES
Appellant**PROCESSED**

APR 10 2023

IMAGING DEPARTMENT

Pagination

- | | | |
|-----|------------|--|
| ✓ 1 | 11/15/2021 | CASE INITIATED: NOTICE OF APPEAL, MOTION FOR DELAYED APPEAL, PRAECIPE AND DOCKETING STATEMENT |
| ✓ 2 | 11/15/2021 | NOTICE OF APPEAL FILED FROM COMMON PLEAS CRIMINAL COURT, CASE # 649028-A WITH JOURNAL ENTRY AND DOCKET SHEET. |
| ✓ 3 | 11/15/2021 | 9(A) PRAECIPE WITH DOCKETING STATEMENT (REGULAR CALENDAR) FILED BY DEFENDANT-APPELLANT JAMES W. JONES. |
| ✓ 4 | 11/15/2021 | MOTION FOR LEAVE TO FILE DELAYED APPEAL FOR APPELLANT JAMES JONES. > RUSSELL S. BENSING (0010602) 07/05/2022 - UNKNOWN |
| ✓ 5 | 12/09/2021 | Motion by appellant to consolidate appeal 110833 with appeal 111020 for briefing, hearing, and disposition is granted. The combined brief will be due 20 days after the App.R 9(A) record is filed in Appeal No. 111020. When filing future motions, counsel shall file only one motion under the lowest appellate number (110833) and reference both appeal numbers. Notice issued. |
| ✓ 6 | 12/09/2021 | Motion for delayed appeal filed by appellant is granted. The App.R. 9(A) record is due on or before December 27, 2021. The transcript for this appeal has been filed in Appeal No. 110833, which is consolidated with this appeal. Notice issued. |

CA21111020

143868876



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- ✓ 7 12/13/2021 APPELLEE'S REPLY FILED APPELLEES BRIEF IN RESPONSE TO APPELLANTS MOTION FOR LEAVE TO FILE A DELAYED APPEAL
- ✓ 8 12/27/2021 ORIGINAL PAPERS FILED BY TRIAL COURT.
- ✓ 9 02/04/2022 Motion by Appellee to extend time to file answer brief is granted in part. First extensions are limited to 20 days. Appellee's brief is due on or before February 28, 2022. Further extension will be at the discretion of the Administrative Judge and will only be granted for exigent circumstances. Notice issued.
- ✓ 10 03/11/2022 Motion by Appellant to extend time to file reply brief is granted. Appellant's reply brief is due on or before March 21, 2022. Further extension will be at the discretion of the Administrative Judge and will only be granted for exigent circumstances. Notice issued.
- ✓ 11 06/23/2022 Affirmed and remanded. >Frank Daniel Celebrezze, III, P.J., Mary Eileen Kilbane, J., and Eileen T. Gallagher, J., concur. Notice issued.
- ✓ 12 08/23/2022 NOTICE OF APPEAL TO THE OHIO SUPREME COURT FILED BY APPELLANT'S COUNSEL. OSC NO 2022-1049.

✓ 13 04/05/2023

//// THE SUPREME COURT OF OHIO CASE NUMBER 2022-1049 \\\ 4/5/23 ORDER TO CERTIFY RECORD PURSUANT TO RULE 15.03 AND 15.06, OF THE RULES OF PRACTICE OF THE SUPREME COURT OF OHIO, YOU ARE HEREBY ORDERED TO PREPARE AND FORWARD TO THE CLERK'S OFFICE THE RECORD IN THE ABOVE-CAPTIONED CASE AS FOLLOWS: THE RECORD SHALL CONSIST OF THE ORIGINAL PAPERS EXHIBITS TO THOSE PAPERS; THE TRANSCRIPT OF PROCEEDINGS AND EXHIBITS, ALONG WITH A COMPUTER DISKETTE OF THE TRANSCRIPT, IF AVAILABLE; AND CERTIFIED COPIES OF THE JOURNAL ENTRY AND THE DOCKET PREPARED BY THE CLERK OF COURT OR OTHER CUSTODIAN OF THE ORIGINAL PAPERS. THE RECORD SHALL INCLUDE, WHERE APPLICABLE, ALL THE ABOVE ITEMS FROM BOTH THE COURT OF APPEALS AND TRIAL COURT CASES. THE RECORD SHALL BE TRANSMITTED ALONG WITH AN INDEX THAT LISTS ALL ITEMS INCLUDED IN THE RECORD. ALL EXHIBITS LISTED IN THE INDEX SHALL BE BRIEFLY DESCRIBED, AND A COPY OF THE INDEX MUST BE SENT TO ALL COUNSEL OF RECORD IN THE CASE. ONLY VIDEOTAPE EXHIBITS, AUDIOTAPE EXHIBITS, AND DOCUMENTS SUCH AS PAPERS, MAPS OR PHOTOGRAPHS SHALL BE TRANSMITTED. THE FOLLOWING ITEMS SHALL NOT BE TRANSMITTED AT THIS TIME: ANY PHYSICAL EXHIBITS OTHER THAN THE ITEMS LISTED ABOVE (I.E., CLOTHING, WEAPONS, ETC.) DOCUMENTS OF UNUSUAL SIZE, BULK, OR WEIGHT. THOSE EXHIBITS OR DOCUMENTS THAT ARE NOT TRANSMITTED SHALL BE DESIGNATED IN THE INDEX, AND THEIR CUSTODIAN MUST ALSO BE IDENTIFIED IN THE INDEX. THE RECORD SHALL BE TRANSMITTED TO THE CLERK'S OFFICE WITHIN 20 DAYS OF THE DATE OF THIS ORDER. IF THE CASE INVOLVES TERMINATION OF PARENTAL RIGHTS OR ADOPTION OF A MINOR CHILD, OR BOTH, PREPARATION AND TRANSMISSION OF THE RECORD SHALL BE EXPEDITED AND GIVEN PRIORITY OVER PREPARATION AND TRANSMISSION OF THE RECORD IN OTHER CASES. SHARON L KENNEDY CHIEF JUSTICE

✓ 14 04/05/2023

/// THE SUPREME COURT OF OHIO \\ ENTRY CASE NO.
2022-1049 UPON CONSIDERATION OF THE
JURISDICTIONAL MEMORANDA FILED IN THIS CASE,
THE COURT ACCEPTS THE APPEAL PROPOSITION OF
LAW NO. II ONLY. THE CLERK SHALL ISSUE AN ORDER
FOR THE TRANSMITTAL OF THE RECORD FROM THE
COURT OF APPEALS FOR CUYAHOGA COUNTY, AND
THE PARTIES SHALL BRIEF THIS CASE IN
ACCORDANCE WITH THE RULES OF PRACTICE OF THE
SUPREME COURT OF OHIO. (CUYAHOGA COUNTY
COURT OF APPEALS; NOS. 110833 AND 1110200
SHARON L KENNEDY CHIEF JUSTICE