

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

1	Filing Date: 02/22/2021 Proceeding Date: 02/19/2021 * NO IMAGE OR HARD COPY AVAILABLE *	ARRESTED 02/19/2021
2	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

JAMES W JONES  
Defendant

PAGINATION OF RECORD RULE 10B OF  
APPELLATE PROCEDURE

8 Filing Date: 02/26/2021 REPARATION FEE RC 2743.70 ; 2937.22 ; 2949.091 \$85.00  
Proceeding Date:  
02/26/2021  
\* NO IMAGE OR HARD  
COPY AVAILABLE \*

9 Filing Date: 03/04/2021 PANDEMIC RESPONSE MEETING SET FOR 03/10/2021 AT  
Proceeding Date:  
03/04/2021  
09:30 AM (Notice Sent).  
\* NO IMAGE OR HARD  
COPY AVAILABLE \*

✓ 10 Filing Date: 03/05/2021 INDICTED BINDOVER ON 03/05/2021  
Proceeding Date:  
03/05/2021

✓ 11 Filing Date: 03/05/2021 SUMMONS - CRIMINAL(43849755) SENT BY CERTIFIED  
Proceeding Date:  
03/05/2021  
MAIL. TO: JONES/JAMES/W 3874 SUMMIT PARK ROAD  
CLEVELAND HEIGHTS, OH 441180000

12 Filing Date: 03/08/2021 ARRAIGNMENT SCHEDULED FOR 03/31/2021.  
Proceeding Date:  
03/05/2021  
\* NO IMAGE OR HARD  
COPY AVAILABLE \*

✓ 13 Filing Date: 03/17/2021 USPS RECEIPT NO. 43849755 DELIVERED BY USPS  
Proceeding Date:  
03/17/2021  
03/10/2021 JONES/JAMES/W PROCESSED BY COC  
03/17/2021.

14 Filing Date: 03/17/2021 ARRAIGNMENT SCHEDULED FOR 03/31/2021 AT 01:00  
Proceeding Date:  
03/17/2021  
PM IS CANCELLED. JUDGE: ARRAIGNMENT ROOM  
(ARRAIGN) REASON: PER ARRAIGNMENT ROOM (notice  
sent).

15 Filing Date: 03/17/2021 ARRAIGNMENT PREVIOUSLY SCHEDULED FOR  
Proceeding Date:  
03/17/2021  
03/31/2021 AT 01:00 PM IS RESCHEDULED FOR 03/24/2021  
AT 01:00 PM..  
\* NO IMAGE OR HARD  
COPY AVAILABLE \*

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

JAMES W JONES  
Defendant

COA Case Number: CA-21- 110833

PAGINATION OF RECORD RULE 10B OF  
APPELLATE PROCEDURE

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 COUNSEL'S 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 CHARGED  
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

VS

JAMES W JONES  
Defendant

Case Number: CR-21- 657235

COA Case Number: CA-21- 110833

PAGINATION OF RECORD RULE 10B OF  
APPELLATE PROCEDURE

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

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

DEFENDANT IN COURT WITH COUNSEL SYDNEY  
STICKLAND SAFFOLD. PROSECUTING ATTORNEY(S)  
LISA TUROSO PRESENT. COURT REPORTER GRETCHEN  
WEDDEBURG 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

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

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

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

STATEMENT OF COURT COST SENT TO  
CORRECTIONAL INSTITUTION FOR COLLECTION

✓ 33 Filing Date: 09/17/2021

NOTICE OF APPEAL FILED BY DEFENDANT'S COUNSEL.

THE STATE OF OHIO  
Plaintiffs

Case Number: CR-21- 657235

VS

COA Case Number: CA-21- 110833

JAMES W JONES  
Defendant

PAGINATION OF RECORD RULE 10B OF  
APPELLATE PROCEDURE

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Proceeding Date: COA # 110833  
09/17/2021



**FILED**  
Court of Appeals

- Index of the Record

APR 10 2023

Clerk of Courts  
Cuyahoga County, Ohio

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

STATE OF OHIO  
 Appellee

**PROCESSED**

-vs-

JAMES W JONES  
 Appellant

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 Celebreeze, 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, Ohio

Ohio Supreme Court Rule V.  
In the Court of Appeals  
8<sup>th</sup> Appellate District  
Court of Appeals Case No: CA21111020  
Ohio Supreme Court Case No: 2022 1049  
Notice of Appeal filed: 04-05-2023

STATE 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 APPELLER'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