

THE STATE OF OHIO  
Plaintiffs

Case Number: CR-22- 669748

VS

COA Case Number: CA-22- 112202  
PAGINATION OF RECORD RULE 10B OF  
APPELLATE PROCEDURE

ALONZO D KYLES  
Defendant

- 
- |     |   |   |
|-----|---|---|
| ✓ 1 | Filing Date: 04/21/2022<br>Proceeding Date:<br>04/21/2022 | CASE INFORMATION ENTERED  |
| ✓ 2 | Filing Date: 04/22/2022<br>Proceeding Date:<br>04/22/2022 | INDICTED ORIGINAL ON 04/22/2022   |
| ✓ 3 | Filing Date: 04/26/2022<br>Proceeding Date:<br>04/26/2022 | SUMMONS - CRIMINAL(47365196) SENT BY CERTIFIED MAIL. TO: KYLES/ALONZO/D 12512 ANGELUS AVENUE CLEVELAND, OH 441050000  |
| ✓ 4 | Filing Date: 05/31/2022<br>Proceeding Date:<br>05/31/2022 | DEFENDANT DECLARED INDIGENT. ANY COSTS IMPOSED PURSUANT TO ORC 2743.70 AND ORC 2949.091 ARE HEREBY WAIVED. COURT ASSIGNED WARD, VICKI LYNN AS COUNSEL, ATTORNEY WAS NOTIFIED BY EMAIL. READING OF INDICTMENT WAIVED. TWENTY-FOUR HOUR SERVICE WAIVED. DEFENDANT PLEAD NOT GUILTY TO INDICTMENT. BOND SET AT 2,500.00 DOLLARS. BOND TYPE: PERSONAL. BOND CONDITIONS: PROHIBITED FROM OWNING, CARING FOR OR POSSESSING ANY ANIMALS, COURT SUPERVISED RELEASE. JUDGE RUSSO, NANCY MARGARET (326) ASSIGNED (RANDOM ). |
| ✓ 5 | Filing Date: 06/07/2022<br>Proceeding Date:<br>06/07/2022 | FIRST PRETRIAL SET FOR 06/09/2022 AT 09:00 AM.<br>06/07/2022 CPDL2 06/07/2022 09:39:26  |
| ✓ 6 | Filing Date: 06/07/2022<br>Proceeding Date:<br>06/07/2022 | STATE'S DEMAND FOR DISCOVERY, FILED.  |
| ✓ 7 | Filing Date: 06/07/2022<br>Proceeding Date:<br>06/07/2022 | STATE'S RESPONSE TO REQUEST FOR DISCOVERY UNDER RULE 16, FILED.   |
| ✓ 8 | Filing Date: 06/09/2022<br>Proceeding Date:<br>06/09/2022 | PRETRIAL HELD 06/09/2022. PRETRIAL SET FOR 06/28/2022 AT 09:00 AM. AT THE REQUEST OF DEFENDANT. REASON FOR CONTINUANCE: DISCOVERY EXCHANGE FINAL PRETRIAL SET FOR   |

THE STATE OF OHIO  
Plaintiffs

Case Number: CR-22- 669748

VS

COA Case Number: CA-22- 112202  
PAGINATION OF RECORD RULE 10B OF  
APPELLATE PROCEDURE

ALONZO D KYLES  
Defendant

07/12/2022 AT 11:15 AM . AT THE REQUEST OF  
DEFENDANT. TRIAL SET FOR 08/01/2022 AT 09:00 AM.  
AT THE REQUEST OF DEFENDANT. 06/09/2022  
CPDL2 06/09/2022 13:13:56

✓ 9

Filing Date: 06/13/2022  
Proceeding Date:  
06/13/2022

MOTION TO WITHDRAW AS COUNSEL, FILED.  
06/14/2022 - GRANTED

✓ 10

Filing Date: 06/14/2022  
Proceeding Date:  
06/14/2022

MOTION TO WITHDRAW AS COUNSEL GRANTED. NEW  
COUNSEL TO BE ASSIGNED BY THE COURT.  
06/14/2022 CPDL2 06/14/2022 16:54:44

✓ 11

Filing Date: 06/16/2022  
Proceeding Date:  
06/16/2022

DEFENDANT FOUND INDIGENT; THE PUBLIC  
DEFENDER IS ASSIGNED AS COUNSEL. PT SET 6/28/22  
REMAINS SET. 06/16/2022 CPDL2 06/16/2022 09:52:27

✓ 12

Filing Date: 06/23/2022  
Proceeding Date:  
06/23/2022

THE COURT SETS THE FOLLOWING DISCOVERY  
CUTOFF DATE: 07/05/2022. ALL PARTIES ARE ORDERED  
THAT THEY ARE TO EXCHANGE ALL DISCOVERY  
RELATED TO THIS CASE BY THIS DATE, AND THAT  
ABSENT THE FILING OF A MOTION TO EXTEND, AND  
THE GRANTING OF THAT MOTION, ANY  
NONPRODUCING PARTY IS SUBJECT TO EXCLUSION OF  
THE EVIDENCE AT TRIAL AND/OR SANCTIONS,  
INCLUDING A SHOW CAUSE HEARING AND/OR  
DISMISSAL OF A CASE WITHOUT PREJUDICE. ANY  
PARTY WHO HAS NOT TIMELY RECEIVED DISCOVERY,  
WITHIN THE CONFINES OF THIS ORDER IS ORDERED  
TO FILE THE APPROPRIATE MOTION WITH THE COURT  
TO EXCLUDE EVIDENCE, AND SAID MOTION IS TO BE  
MADE WITHIN 3 WORKING DAYS OF THE PASSAGE OF  
THE CUTOFF. ANY MOTION TO EXTEND THE  
DISCOVERY DEADLINE IS TO BE MADE IN WRITING NO  
LESS THAN 3 WORKING DAYS BEFORE THE  
DISCOVERY CUTOFF. ANY PARTY FAILING TO  
COMPLY WITH THIS ORDER IS SUBJECT TO A  
CONSIDERATION OF SANCTIONS, INCLUDING A SHOW  
CAUSE/CONTEMPT HEARING, AND/OR DISMISSAL OF A  
CASE WITHOUT PREJUDICE. 06/23/2022 CPDL2  
06/23/2022 08:30:53

THE STATE OF OHIO  
Plaintiffs

Case Number: CR-22- 669748

VS

COA Case Number: CA-22- 112202  
PAGINATION OF RECORD RULE 10B OF  
APPELLATE PROCEDURE

ALONZO D KYLES  
Defendant

✓ 13

Filing Date: 06/23/2022  
Proceeding Date:  
06/23/2022

ANY ISSUES REGARDING DISCOVERY ARE TO BE BROUGHT TO THE ATTENTION OF THE COURT IMMEDIATELY. ALL DISCOVERY IS TO BE COMPLETED BEFORE THE FINAL PRETRIAL DATE. ANY PARTY SEEKING AN EXTENSION TO COMPLY WITH DISCOVERY IS ORDERED TO FILE A MOTION REQUESTING THE EXTENSION AND STATE SPECIFIC REASONS FOR THE DELAY. IT IS ORDERED THAT ANY MATERIALS MARKED "FOR COUNSEL ONLY" ARE FOR THE EXCLUSIVE USE OF COUNSEL, AND NOT TO BE SHARED WITH ANY PERSONS, INCLUDING THE DEFENDANT, EXCEPTING HOWEVER, THAT THE ATTORNEY MAY VERBALLY DISCUSS THE CONTENTS OF SAID DISCOVERY MATERIALS, IN ORDER TO PREPARE FOR TRIAL. SHOULD ANY ATTORNEY BELIEVE THAT THE DESIGNATION INTERFERES WITH THE RIGHT TO PROPERLY PREPARE FOR TRIAL, SAID COUNSEL IS TO FILE THE APPROPRIATE MOTION WITH THIS COURT, WHO WILL THEN DETERMINE IF THE DESIGNATION IS APPROPRIATE, OR IF THE MATERIALS THEMSELVES MAY BE SHARED IN ORDER TO PROPERLY PREPARE FOR TRIAL. COUNSEL IS NOTIFIED THAT ANY ALLEGED BREACH OF THIS ORDER MAY RESULT IN A HEARING ON CONTEMPT. THE COURT ORDERS THAT NO PERSON MAY REQUEST A DIVERSION BACKGROUND CHECK, ELIGIBILITY PACKET OR ASSESSMENT FROM THE COURT'S PROBATION DEPARTMENT WITHOUT A PRIOR ORDER OF THIS COURT. THE PROBATION DEPARTMENT IS PROHIBITED FROM ACTING ON ANY REQUEST MADE BY ANYONE WITHOUT THIS COURT'S JOURNALIZED ORDER, AND IS ALSO ORDERED TO REPORT TO THE COURT, ANY REQUESTS MADE FOR THIS INFORMATION WITHOUT A SIGNED ORDER FROM THE COURT. ANY PERSON WHO VIOLATES THIS ORDER IS SUBJECT TO A HEARING ON SANCTIONS, INCLUDING POSSIBLE CONTEMPT. ANY REQUEST FOR CONSIDERATION OF DIVERSION OR ANY SPECIALTY DOCKET OR PROGRAM, MUST BE MADE PRIOR TO CLOSE OF NON-EXPERT DISCOVERY DATE. SHOULD COUNSEL REQUEST AN EXPERT AT TRIAL, THE MOTION MUST CONTAIN AN AFFIRMATIVE

THE STATE OF OHIO  
Plaintiffs

Case Number: CR-22- 669748

VS

COA Case Number: CA-22- 112202

ALONZO D KYLES  
Defendant

PAGINATION OF RECORD RULE 10B OF  
APPELLATE PROCEDURE

STATEMENT THAT THE EXPERT INTENDED FOR HIRE WILL BE AVAILABLE FOR THE TRIAL DATE ALREADY SET. THE STATE IS ORDERED TO SUBPOENA/NOTIFY ANY COMPLAINING WITNESS, ALLEGED VICTIM(S) TO BE PERSONALLY PRESENT AT THE FINAL PRETRIAL AND/OR ANY DATE ON WHICH A PLEA HAS BEEN ACCEPTED AND IS SET TO PROCEED. THE COURT HAS THE OPTION OF PROCEEDING DIRECTLY TO SENTENCING AT THE TIME OF PLEA. THE STATE WILL BE REQUIRED TO STATE ON THE RECORD WHAT EFFORTS WERE MADE TO NOTIFY THE COMPLAINING WITNESS, ALLEGED VICTIM(S), AND IF PRESENT, TO NOTIFY THE COURT BEFORE THE PROCEEDING, IN ORDER FOR THE COURT TO ALLOW THEM THE OPPORTUNITY TO SPEAK. VICTIM(S) WHO APPEAR AT A PLEA OR FINAL PRETRIAL WHERE A PSI IS ULTIMATELY ORDERED, MAY, IF THEY CHOOSE, PLACE THEIR STATEMENT ON THE RECORD AT THAT TIME AND EITHER APPEAR AGAIN AT SENTENCING, OR WAIVE THEIR PRESENCE AT THE LATER DATE. IN THE EVENT OF A WAIVER AT ANY LATER SET SENTENCING DATE, THE COURT WILL INCORPORATE THE REMARKS INTO THE RECORD OF SENTENCING. ANY REQUEST OF THE STATE TO BE RELIEVED OF COMPLIANCE WITH THIS ORDER MUST BE MADE BY WRITTEN MOTION, FILED NO LESS THAN 5 DAYS BEFORE THE SCHEDULED FINAL PRETRIAL AND/OR PLEA DATE. THE STATE IS ORDERED TO HAVE COMPLAINING WITNESS(ES) PRESENT FOR TRIAL DATE AT 9:00 AM. FAILURE OF THE COMPLAINING WITNESS TO APPEAR, WITHOUT GOOD CAUSE SHOWN, WILL RESULT IN DISMISSAL OF THE CASE FOR FAILURE TO PROSECUTE. 06/23/2022 CPDL2 06/23/2022 08:31:10

✓ 14 Filing Date: 06/28/2022  
Proceeding Date:  
06/28/2022

SUPPLEMENTAL DISCOVERY RESPONSE TO REQUEST FOR DISCOVERY UNDER RULE 16, FILED.

✓ 15 Filing Date: 06/29/2022  
Proceeding Date:  
06/28/2022

PRETRIAL HELD 06/28/2022. FINAL PRETRIAL REMAINS SET FOR 07/12/2022 at 11:15 AM AT THE REQUEST OF DEFENDANT. REASON FOR CONTINUANCE: ON GOING DISCOVERY/PLEA NEGOTIATIONS 06/28/2022

THE STATE OF OHIO  
Plaintiffs

VS

ALONZO D KYLES  
Defendant

Case Number: CR-22- 669748

COA Case Number: CA-22- 112202  
PAGINATION OF RECORD RULE 10B OF  
APPELLATE PROCEDURE

CPDL2 06/28/2022 14:07:12

✓ 16

Filing Date: 06/29/2022  
Proceeding Date:  
06/29/2022

MOTION FILED BY D1 ALONZO D KYLES ATTORNEY JASON G HALLER 0072674 MOTION FOR REFERRAL TO COURT PSYCHIATRIC CLINIC FOR EVALUATION OF COMPETENCY TO STAND TRIAL AND ELIGIBILITY FOR MENTAL HEALTH COURT 07/06/2022 - GRANTED

✓ 17

Filing Date: 07/06/2022  
Proceeding Date:  
07/06/2022

DEFENDANT'S MOTION FOR REFERRAL TO COURT PSYCHIATRIC CLINIC GRANTED. PRETRIAL SET FOR 08/08/2022 AT 09:00 AM. AT THE REQUEST OF DEFENDANT. DEFENDANT IS REFERRED TO COURT PSYCHIATRIC CLINIC. DIRECTOR, PSYCHIATRIC CLINIC: IN ACCORDANCE WITH PROVISIONS OF THE OHIO REVISED CODE, 2945.371 COMPETENCE TO STAND TRIAL; ETC. 2947.06(B) REPORTS FOR THE PURPOSE OF DETERMINING THE DISPOSITION OF A CASE: ELIGIBILITY FOR TRANSFER TO MENTAL HEALTH COURT (DEFENDANT HAS A PSYCHOTIC DISORDER OR INTELLECTUAL FUNCTION BELOW I.Q. OF 75). YOU ARE DIRECTED TO EXAMINE ALONZO D KYLES, WHO IS AWAITING TRIAL ON CHARGE(S) OF 0959.131 CRUELTY AGAINST COMPANION ANIMAL. CUYAHOGA COUNTY JAIL, C/O CUSTODIAN OF MEDICAL RECORDS: YOU ARE ORDERED TO PROVIDE TO THE CUYAHOGA COUNTY COMMON PLEAS COURT PSYCHIATRIC CLINIC ANY AND ALL JAIL RECORDS FOR THE CURRENT OR MOST RECENT JAIL STAY INCLUDING BUT NOT LIMITED TO: MEDICAL RECORDS, MENTAL HEALTH RECORDS, PSYCHOLOGICAL OR MENTAL HEALTH EVALUATIONS, MEDICAL OR PSYCHOLOGICAL PROGRESS NOTES, JAIL INMATE INCIDENT REPORTS, DISCIPLINARY REPORTS, SUMMARIES OF JAIL VIOLATIONS AND/OR ANY OTHER RECORDS OF DISCIPLINE FOR PURPOSES OF COMPETENCY EVALUATION. REPORT DUE TO THE COURT FOR PT SET 8/8/22 AT 9:00 AM. 07/06/2022  
CPDL2 07/06/2022 13:32:47

✓ 18

Filing Date: 08/05/2022  
Proceeding Date:  
08/04/2022

PRETRIAL PREVIOUSLY SET FOR 08/08/2022 AT 09:00AM IS RESET FOR 08/18/2022 AT 09:00AM. AT THE REQUEST OF PSYCH CLINIC. REASON FOR CONTINUANCE:

THE STATE OF OHIO  
Plaintiffs

Case Number: CR-22- 669748

VS

COA Case Number: CA-22- 112202  
PAGINATION OF RECORD RULE 10B OF  
APPELLATE PROCEDURE

ALONZO D KYLES  
Defendant

DEFENDANT'S PSYCH CLINIC INTERVIEW IS SET FOR  
8/10/22. 08/04/2022 CPDL2 08/04/2022 17:48:45

✓ 19 Filing Date: 08/11/2022 PRETRIAL CONTINUED TO 09/08/2022 AT 09:00 AM AT  
Proceeding Date: THE REQUEST OF COURT PSYCHIATRIC CLINIC.  
08/11/2022 REASON FOR CONTINUANCE: SCHEDULED DOCTOR  
WAS UNAVAILABLE ON ORIGINAL INTERVIEW DATE.  
08/11/2022 CPDL2 08/11/2022 15:23:38

✓ 20 Filing Date: 08/16/2022 PER STATUS DATED 8/15/22 THAT DEFENDANT IS IN  
Proceeding Date: COMPLIANCE, DEFENDANT MAY REPORT TO CSR BI-  
08/16/2022 WEEKLY. 08/16/2022 CPDL2 08/16/2022 16:46:57

✓ 21 Filing Date: 09/08/2022 PRETRIAL HELD 09/08/2022. FINAL PRETRIAL SET FOR  
Proceeding Date: 09/20/2022 AT 11:00 AM. AT THE REQUEST OF  
09/08/2022 DEFENDANT. TRIAL SET FOR 11/02/2022 AT 09:00 AM.  
AT THE REQUEST OF DEFENDANT. THE STATE,  
THROUGH PROSECUTOR MASON MCCARTHY, AND  
THE DEFENDANT THROUGH COUNSEL JASON HALLER,  
STIPULATE TO THE FINDINGS OF THE COURT  
PSYCHIATRIC CLINIC ON COMPETENCY IN THE  
REPORT DATED 8/30/22. 09/08/2022 CPDL2 09/08/2022  
12:49:32

✓ 22 Filing Date: 09/21/2022 DEFENDANT IN COURT. COUNSEL JASON G HALLER  
Proceeding Date: PRESENT. FINAL PRETRIAL HELD 09/20/2022. TRIAL  
09/20/2022 REMAINS SET FOR 11/02/2022 AT 09:00 AM. AT THE  
REQUEST OF DEFENDANT. FILE IS MARKED TO THE  
INDICTMENT WHICH WAS PUT ON THE RECORD  
TODAY. 09/20/2022 CPDL2 09/20/2022 17:20:42

✓ 23 Filing Date: 09/30/2022 STATE'S NOTICE OF RECEIPT OF DEFENDANTS  
Proceeding Date: WRITTEN DEMAND FOR DISCOVERY FILED  
09/30/2022

✓ 24 Filing Date: 10/14/2022 SUPPLEMENTAL DISCOVERY RESPONSE TO REQUEST  
Proceeding Date: FOR DISCOVERY UNDER RULE 16, FILED.  
10/14/2022

✓ 25 Filing Date: 10/27/2022 MOTION FILED BY P1 THE STATE OF OHIO ATTORNEY  
Proceeding Date: MASON P. MCCARTHY 0100017 EXTENSION OF COURT  
10/27/2022 ORDERED DISCOVERY DEADLINE 10/31/2022 -

THE STATE OF OHIO  
Plaintiffs

Case Number: CR-22- 669748

VS

COA Case Number: CA-22- 112202  
PAGINATION OF RECORD RULE 10B OF  
APPELLATE PROCEDURE

ALONZO D KYLES  
Defendant

GRANTED

- |      |   |   |
|------|---|---|
| ✓ 26 | Filing Date: 10/27/2022<br>Proceeding Date:<br>10/27/2022 | SUPPLEMENTAL DISCOVERY RESPONSE TO REQUEST FOR DISCOVERY UNDER RULE 16, FILED.  |
| ✓ 27 | Filing Date: 10/31/2022<br>Proceeding Date:<br>10/31/2022 | MOTION FOR EXTENSION OF DISCOVERY DEADLINE GRANTED TO 11/2/22. 10/31/2022 CPDL2 10/31/2022 13:41:17   |
| ✓ 28 | Filing Date: 11/02/2022<br>Proceeding Date:<br>11/02/2022 | DEFENDANT'S VOLUNTARY WAIVER OF JURY TRIAL AND ORDER, RECEIVED FOR FILING 11/02/2022.   |
| ✓ 29 | Filing Date: 11/02/2022<br>Proceeding Date:<br>11/02/2022 | DEFENDANT IN COURT. COUNSEL JASON G HALLER PRESENT. JURY WAIVER EXECUTED; TRIAL IN PROGRESS; STATE RESTS; RULE 29 MOTION DENIED. DEFENDANT RESTS; RENEWED RULE 29 MOTION DENIED. COURT ADVISES COUNSEL, PARTIES TO BE PRESENT AT NOON ON 11/3/22 FOR VERDICT. COURT TRIAL CONTINUES. 11/02/2022 CPNMR 11/02/2022 13:52:25   |
| ✓ 30 | Filing Date: 11/03/2022<br>Proceeding Date:<br>11/03/2022 | DEFENDANT IN COURT WITH COUNSEL JASON G HALLER. PROSECUTING ATTORNEY(S) MASON MCCARTHY AND LIAM BLAKE PRESENT. COURT REPORTER PRESENT. THE COURT FINDS THE DEFENDANT GUILTY OF CRUELTY AGAINST COMPANION ANIMAL 0959.131 (C) F5 AS CHARGED IN THE INDICTMENT. THE DEFENDANT IS REFERRED TO THE COUNTY PROBATION DEPARTMENT FOR A PRE-SENTENCE INVESTIGATION AND REPORT. ORIGINAL BOND CONTINUED. SENTENCING SET FOR 11/29/2022 AT 11:00 AM. DEFENDANT IS STILL TO REPORT TO COURT SUPERVISED RELEASE. EXHIBITS RETAINED BY THE COURT REPORTER. 11/03/2022 CPDL2 11/03/2022 12:43:39 |
| ✓ 31 | Filing Date: 11/30/2022<br>Proceeding Date:<br>11/29/2022 | DEFENDANT IN COURT. COUNSEL JASON G HALLER PRESENT. COURT REPORTER PRESENT. ON A FORMER DAY OF COURT THE COURT FOUND THE DEFENDANT GUILTY OF CRUELTY AGAINST COMPANION ANIMAL   |

THE STATE OF OHIO  
Plaintiffs

Case Number: CR-22- 669748

VS

COA Case Number: CA-22- 112202  
PAGINATION OF RECORD RULE 10B OF  
APPELLATE PROCEDURE

ALONZO D KYLES  
Defendant

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0959.131 (C) F5 AS CHARGED IN THE INDICTMENT. PROSECUTOR MASON MCCARTHY ADDRESSES THE COURT. THE COURT CONSIDERED ALL REQUIRED FACTORS OF THE LAW. THE COURT FINDS THAT PRISON IS CONSISTENT WITH THE PURPOSE OF R. C. 2929.11. THE COURT IMPOSES A PRISON SENTENCE AT THE LORAIN CORRECTIONAL INSTITUTION OF 9 MONTH(S). COUNT 1: F5, 9 MONTH(S) ; UP TO 2 YEARS OF PRC AT THE DISCRETION OF THE PAROLE BOARD. THE DEFENDANT IS PROHIBITED FROM OWNING OR CARING FOR ANY COMPANION ANIMALS INDEFINITELY PURSUANT TO ORC 959.99(E)(6)(A) AND THE HE MUST REGISTER WITH THE CUYAHOGA COUNTY SHERIFF'S DEPT. FOR THE ANIMAL ABUSE REGISTRY PURSUANT TO CUYAHOGA COUNTY CODE 1401.02. AS A RESULT OF THE CONVICTION(S) IN THIS CASE AND THE IMPOSITION OF A PRISON SENTENCE, AND PURSUANT TO R.C. 2967.28(F)(4)(C), THE DEFENDANT MAY BE SUBJECT TO A PERIOD OF POST-RELEASE CONTROL OF: UP TO 2 YEARS OF PRC AT THE DISCRETION OF THE PAROLE BOARD. THE ADULT PAROLE AUTHORITY WILL ADMINISTER THE POST-RELEASE CONTROL PURSUANT TO R.C.2967.28, AND THE DEFENDANT HAS BEEN ADVISED THAT IF THE DEFENDANT VIOLATES POST-RELEASE CONTROL, THE PAROLE BOARD MAY IMPOSE A PRISON TERM AS PART OF THE SENTENCE OF UP TO HALF OF THE STATED PRISON TERM OR STATED MINIMUM TERM ORIGINALLY IMPOSED UPON THE DEFENDANT IN NINE-MONTH INCREMENTS. IF WHILE ON POST-RELEASE CONTROL THE DEFENDANT IS CONVICTED OF A NEW FELONY, THE SENTENCING COURT WILL HAVE AUTHORITY TO TERMINATE THE POST-RELEASE CONTROL AND ORDER A CONSECUTIVE PRISON TERM OF UP TO THE GREATER OF TWELVE MONTHS OR THE REMAINING PERIOD OF POST-RELEASE CONTROL. TCAP EXCEPTION REASON(S): THE PERSON PREVIOUSLY HAS BEEN CONVICTED OF OR PLEADED GUILTY TO ANY FELONY OFFENSE OF VIOLENCE, AS DEFINED IN SECTION 2901.01 OF THE REVISED CODE. DEFENDANT TO RECEIVE JAIL TIME CREDIT FOR 7 DAY(S), TO DATE. DEFENDANT INDIGENT DUE TO



THE STATE OF OHIO  
Plaintiffs

Case Number: CR-22- 669748

VS

COA Case Number: CA-22- 112202  
PAGINATION OF RECORD RULE 10B OF  
APPELLATE PROCEDURE

ALONZO D KYLES  
Defendant

REMAND TO THE INSTITUTION. COSTS WAIVED  
FINE(S) WAIVED. REPAYMENT OF ASSIGNED COUNSEL  
FEE(S) WAIVED. ALL MOTIONS NOT SPECIFICALLY  
RULED ON PRIOR TO THE FILING OF THIS JUDGMENT  
ENTRY ARE DENIED AS MOOT. DEFENDANT  
REMANDED. SHERIFF ORDERED TO TRANSPORT  
DEFENDANT ALONZO D KYLES, DOB: 11/28/1986,  
GENDER: MALE, RACE: BLACK. 11/29/2022 CPDL2  
11/30/2022 13:46:25

✓ 32 Filing Date: 12/06/2022  
Proceeding Date:  
12/05/2022

APPELLATE RIGHTS EXPLAINED TO DEFENDANT AT  
SENTENCING ON 11/29/22. THE COURT APPOINTS  
ATTORNEY ADAM PARKER AS APPELLATE COUNSEL  
WITH THE TRANSCRIPT AT STATE'S EXPENSE.  
12/05/2022 CPDL2 12/05/2022 14:55:51

✓ 33 Filing Date: 12/08/2022  
Proceeding Date:  
12/08/2022

NOTICE OF APPEAL FILED BY DEFENDANT-  
APPELLANT COUNSEL. CA-112202

- Index of the Record

Ohio Supreme Court Rule V.  
In the Court of Appeals  
8<sup>th</sup> Appellate District  
Court of Appeals Case No: CA22112202  
Ohio Supreme Court Case No: 2023-1182  
Notice of Appeal filed: 12/12/2023

STATE OF OHIO  
Appellee

-vs-

ALONZO KYLES  
Appellant

Pagination

- |                |   |
|----------------|---|
| 1 ✓ 12/08/2022 | CASE INITIATED: NOTICE OF APPEAL, PRAECIPE AND DOCKETING STATEMENT  |
| 2 ✓ 12/08/2022 | NOTICE OF APPEAL FILED FROM COMMON PLEAS CRIMINAL COURT , CASE # CR-22-669748 WITH NOTICE OF APPEAL, JOURNAL ENTRY, 9B PRAECIPE, REG DOCKETING STATEMENT AND DOCKET SHEET.  |
| 3 ✓ 12/16/2022 | ORIGINAL PAPERS FILED BY TRIAL COURT. 1 EVELOPE UNDER SEAL. ✓   |
| 4 ✓ 01/12/2023 | TRANSCRIPT OF PROCEEDINGS FILED BY APPELLANT. 1 VOL AND 1 ENV OF EXHIBTS IN THE FILE  |
| 5 ✓ 01/17/2023 | MOTION FOR... MOTION FOR EXTENSION OF TIME TO FILE BRIEF OF APPELLEE 08/15/2023 - UNKNOWN   |
| 6 ✓ 01/18/2023 | Motion by Appellee to extend time to file answer brief is denied as moot. Appellant's brief, which is due February 1, 2023 has not yet been filed. Appellee's brief shall be due 20 days after the Appellant's brief is filed. Notice issued. |
| 7 ✓ 01/26/2023 | APPELLANT'S BRIEF FILED. APPELLANT'S BRIEF AND ASSIGNMENTS OF ERROR   |
| 8 ✓ 02/15/2023 | MOTION FOR... MOTION FOR EXTENSION OF TIME TO FILE BRIEF OF APPELLEE 08/15/2023 - UNKNOWN   |
| 9 ✓ 02/16/2023 | 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 March 7, 2023. No further extension absent exigent circumstances. Notice issued.

10 ✓ 03/07/2023

APPELLEE'S BRIEF FILED.

11 ✓ 03/22/2023

Sua sponte, appellant's brief, filed January 26, 2023, is accepted for review even though the brief fails to comply with App.R. 16(A). This rule requires a separate table of cases, statements of assignments of error, and statements of issues presented for review. Appellant's brief combines these elements within the table of contents, but they are not stated separately and in the order required by App.R. 16(A) and 16(A)(2)-(A)(4). In the future, the failure to strictly comply with all applicable appellate and local appellate rules may result in the striking of filings. Notice issued.

12 ✓ 08/03/2023

Reversed and vacated. >Emanuella D. Groves, J.; Frank Daniel Celebrezze, III, P.J., concurs with majority opinion and separate concurring opinion; Sean C. Gallagher, J., concurs (with separate concurring opinion). Notice issued.

13 ✓ 08/31/2023

MOTION BY APPELLANT ALONZO KYLES/ COUNSEL ADAM PARKER FOR ASSIGNED COUNSEL FEES FILED BY ADAM PARKER (0098012).

14 ✓ 09/06/2023

Application by Appellant's counsel for assigned counsel fees filed by Adam Parker is granted in the amount of \$1,905.00. Notice issued.

15 ✓ 09/19/2023

NOTICE OF APPEAL TO THE OHIO SUPREME COURT FILED BY APPELLANT COUNSEL. ON 9/19/23. OSC CASE NO. 2023-1182

16 ✓ 12/12/2023

/// THE SUPREME COURT OF OHIO /// CASE NO. 2023-1182 UPON CONSIDERATION OF THE JURISDICTIONAL MEMORANDA FILED IN THIS CASE, THE COURT ACCEPTS THE APPEAL. THE CLERK SHALL ISSUE AN ORDER FOR THE TRANSMITTAL OF THE RECORD FROM THE COURT OF APPEALS FROM 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; NO. 112202)

17 ✓ 12/12/2023

//// THE SUPREME COURT OF OHIO CASE NUMBER 2023-1182 \\\ 12/12/2023 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

1	I N D E X					
2	STATE'S WITNESSES	DIRECT	CROSS	REDIRECT	RECROSS	FRD
3	Dominic Naples	11	15	19	19	--
	Michael Deighen	21	33	--	--	--
4	Jennifer Kinney	40	50	59	60	61
	Rebecca Pivovar	62	64	--	--	--
5						
6	DEFENDANT'S WITNESSES:					
7	None					
8						
9						
10	STATE'S EXHIBITS			OFFERED	ADMITTED	
11	1✓ DVD	7 one DVD w/ 2 Exhibits		66	67	
	2✓ DVD			66	67	
12	5✓ photograph			66	67	
	6✓ report			66	67	
13						
14	DEFENDANT'S EXHIBITS					
15	None					
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