

**IN THE COURT OF
FIRST APPELLATE DISTRICT OF
HAMILTON COUNTY, OHIO**

STATE OF OHIO, :

 APPEAL NO. C-00000

Plaintiff- Appellee, :

 TRIAL NO. 00000-

vs. :

[DEFENDANT NAME], :

Defendant-Appellant. :

ON APPEAL FROM THE HAMILTON COUNTY
[INSERT TRIAL COURT NAME]

BRIEF OF [INSERT PARTY DESIGNATION]

[INSERT FILING PARTY NAME]

(Name & ID #) _____

(Name & ID #) _____

(Title) _____

(Title) _____

(Address) _____

(Address) _____

(Phone #) _____

(Phone #) _____

(Email) _____

(Email) _____

Counsel for State of Ohio

Counsel for Defendant

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II. TABLE OF AUTHORITIES

The table of authorities shall list cases, statutes, and other authorities cited, in alphabetical order with references to the pages of the brief where cited.

[Loc.R.16.1(A)(2)]

CASES

State v. McKelton, 148 Ohio St.3d 261, 2016-Ohio-5735, 70 N.E.3d 508..... #

State v. Thompkins, 78 Ohio St.3d 380, 1997-Ohio-52, 687 N.E. 2d 541..... #

RULES

Crim. R. 33(A)..... #

Crim. R. 33(C)..... #

STATUTES

R.C. 2901.22(C)..... #

R.C. 2919.22(A)..... #

III. STATEMENT OF THE CASE

Insert here the Statement of the Case, which shall summarize the nature of the case, the course of proceedings, and the disposition below. The statement should be followed by the statement of jurisdiction, procedural posture, and the statement of facts. [Loc.R. 16.1(A)(3)].

A. STATEMENT OF JURISDICTION

The Statement of Jurisdiction shall state that the appeal was timely filed and was taken from a final appealable order and shall contain references to the relevant parts of the record and citations to the relevant rules and citations [Loc.R. 16.1(A)(3)(a)].

B. PROCEDURAL POSTURE

The Procedural Posture shall state the relevant procedural events leading to the action of the trial court appeal and shall contain references to the relevant parts of the record [Loc.R 16.1(A)(3)(b)].

C. STATEMENT OF FACTS

The Statement of Facts shall recite the facts relevant to the assignments of error and shall contain references to the relevant parts of the record [Loc.R. 16.1(A)(3)(c)].

IV. ARGUMENT AND ASSIGNMENTS OF ERROR

The argument shall state the assignments of error and the issues presented for review in precisely the same manner and order in which they are stated in the table of contents. The Argument shall set forth, in the order indicated: Assignment of error, issues presented for review, standard of review, and the body of the argument. [Loc.R.16.1(A)(4)].

A. FIRST ASSIGNMENT OF ERROR:

The trial court erred in [INSERT ERROR HERE].

An assignment of error shall state how the trial court is alleged to have erred, e.g., "The trial court erred in denying the motion to suppress." Each assignment of error shall be followed by references to the parts of the record demonstrating the alleged error. [Loc.R. 16.1(A)(4)(a)].

i. Issue Presented for Review

[INSERT ISSUE FOR REVIEW HERE]

Under each assignment of error, the brief shall set forth the numbered issues presented for review. [Loc.R. 16.1(A)(4)(b)].

1. Standard of Review and Argument

Under each numbered issue presented for review, the brief shall state the applicable standard of review. [Loc.R. 16.1(A)(4)(c)].

Under each numbered issue presented for review, after the statement of the applicable standard of review, the brief shall set forth the contentions relevant to the issue and the reasons supporting each contention. Each contention supporting an issue presented for review shall contain references to the relevant parts of the record and citations to the relevant legal authorities. [Loc.R. 16.1(A)(4)(d)].

V. CONCLUSION

Consistent with App.R. 16(A)(8), the Conclusion shall briefly summarize the argument and shall precisely state the relief sought on appeal. [Loc.R. 16.1(A)(5)].

Respectfully submitted,

(Signature)_____

Attorney Name or Pro Se Name

(Attorney #)

(Address)_____

(City, State Zip) _____

(Phone Number) _____

(Email) _____

Counsel for _____

CERTIFICATE OF SERVICE

I certify that a copy of this **[title of document]** was sent by regular mail/email to [name and address/email of party served or party's lawyer] on [date sent].

(/s/Signature)_____

Proof of service should be included at the end of the brief or filed separately and should provide in the form a certified statement by the person who served the document, specifying the person served and the date and manner of service (i.e., mail, email). [Loc.R. 16.1(A)(6)].

ATTACHMENTS

Final Order: The appellant shall attach to the brief a copy of the final order from which the appeal is taken, along with any supporting opinion, decision, or findings of facts and conclusions of law. [Loc.R. 16.1(A)(7)].

Other Attachments: Attachment of materials not contained within the record is prohibited. If a party appends documents from the record, other than the final order as required by subsection (A)(6) of this Rule, the party must include a table of contents for the Appendix and provide a citation to where the document can be found in the record. [Loc.R. 16.1(E)].