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Defendant's Motion for Leave to File Amended Answer

William D. Mason
Cuyahoga County Prosecutor

Marilyn B. Cassidy
Cuyahoga County Assistant Prosecutor

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FILED

1999 MAR 11 P 4:30

J. E. FUERST
CLERK OF COURTS
CUYAHOGA COUNTY

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

ALAN J. DAVIS, Special
Administrator of the Estate
of Samuel H. Sheppard,

Plaintiff,

vs.

STATE OF OHIO,

Defendant.

CASE NO. 312322

JUDGE RONALD SUSTER

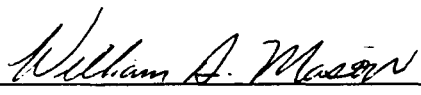
**DEFENDANT'S MOTION FOR
LEAVE TO FILE AMENDED ANSWER**

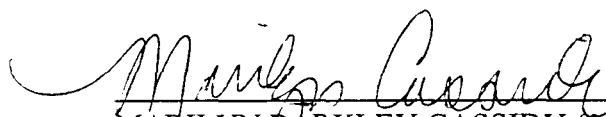
Defendant, State of Ohio, by and through counsel, William D. Mason, Prosecuting Attorney for Cuyahoga County, and Assistant Prosecutor, Marilyn Barkley Cassidy, hereby moves this Honorable Court for leave to amend its answer. Ohio Civil Rule 15 provides for amendment of pleadings by leave of court which shall be freely given when justice so requires.

The reason for the request is that defendant wishes to make a demand for trial by jury of all issues so triable and to add further affirmative defenses.

Respectfully submitted,

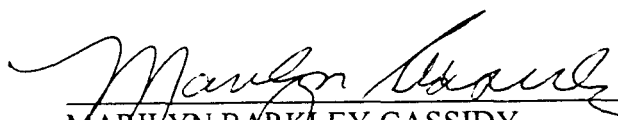
WILLIAM D. MASON, Prosecuting Attorney of
Cuyahoga County, Ohio


WILLIAM D. MASON (0037540)
Prosecuting Attorney, Cuyahoga County


MARILYN BARKLEY CASSIDY (0014647)
Assistant Prosecuting Attorney
1200 Ontario Street - 8th floor
Cleveland, Ohio 44113
(216) 443-7785
ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

A copy of the foregoing Motion for Leave to Amend Answer, was served by ordinary United States Mail, postage prepaid, this ____ day of March, 1999, upon Terry Gilbert, at 1700 Standard Building, 1370 Ontario Street, Cleveland, Ohio 44113.


MARILYN BARKLEY CASSIDY
Assistant Prosecuting Attorney