

May 24, 1955

AIRMAIL SPECIAL

Webster W. Posey, Esq.
308 West Fifth Street
Cincinnati 2, Ohio

Dear Webster:

Thank you very much for your letter. You sent me a copy of the Rules of Practice of the Court of Appeals, the Court of Common Pleas and the Municipal Court. There is nothing in this with respect to the briefs, etc. which we would need to guide us with respect to the rules of the Supreme Court of Ohio.

I would appreciate it if you would hasten and get that information to me.

We have made our own check of Ohio procedure, and as we understand it the Court of Appeals has certified the record to the Supreme Court in our case on the ground of its conflict with another Court of Appeals decision. Thirty days after date of that order, we must file the record with the Clerk of the Supreme Court. I assume you will take care of that. Ten days thereafter, the case must be docketed and assignment of errors filed with service on the other side. We will draft these, but I would suggest that you and Ted dig up a model and send it here so that we can conform ours. We will send them on to you for service on the other side and filing. Forty days thereafter, the brief is due.

We need to know the date of the order of the Court of Appeals, and a copy of the rules and a copy of an assignment form at once. Please do not delay sending this to us. Are you planning to print the record? At any rate, don't send it up without notifying us since the time for filing of assignment of errors commences to run when it reaches the Supreme Court.

Sincerely yours,

Robert L. Carter
Assistant Counsel

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