

IN THE ASHTABULA COUNTY COURTS
WESTERN DIVISION - GENEVA, OHIO

STATE OF OHIO)	CASE NO: _____
CITY OF GENEVA)	_____
)	(list all cases that apply to motion)
)	
PLAINTIFF,)	JUDGE CASEY P. O'BRIEN
)	
VS)	<u>MOTION FOR SENTENCE</u>
)	<u>MODIFICATION:</u>
)	<u>ELECTRONICALLY MONITORED HOUSE</u>
)	<u>ARREST IN LIEU OF JAIL</u>
)	
_____)	
DEFENDANT)	

Now comes Defendant and requests this Court to grant a modification of sentence allowing Defendant to serve a number of days of Electronically Monitored House Arrest in lieu of previously sentenced _____ days of incarceration in the above mentioned case(s) for the following reason(s):

(Attach a copy of rescheduled commitment, this should indicate 3 reschedule dates over the course of a minimum 1 year since 1st original report date)

Respectfully Submitted

Defendant/Attorney for Defendant

Address:

Phone:

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing motion for Sentence Modification was served upon the

☐ State of Ohio Prosecutor, 25 West Jefferson Street, Jefferson, Ohio 44047

OR

☐ City of Geneva Solicitor, 44 North Forrest St, Geneva, Ohio 44041

Through ☐ Hand Delivery/Personal Service ☐ Regular U.S. Mail this _____ day of _____, 20____

Defendant

If applicable, Prosecutor's Recommendation: ☐ Grant ☐ Deny ☐ Other, _____

Prosecutor

Date

Court Order

☐ Denied ☐ Granted ☐ Other: _____

Casey P. O'Brien, Judge Ashtabula County Courts, Western Division

Date

Sentence Modification: \$10.00 due at time of filing
Rev 3/2015

Assigned Probation Officer: _____

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Casey P. O'Brien, Judge

Telephone: 440-466-1184

JOURNAL ENTRY

This Court has sentenced the defendant to serve a jail sentence in this case, either in exercise of the Court's sound discretion on sentencing or as mandated by state statute.

This matter is to be set for a hearing, at which time the defendant, his attorney (if applicable), and the prosecutor will appear.

The defendant is hereby ORDERED to bring with him/her, to the hearing, proof of the number of times he/she has reported to the Ashtabula County Jail; proof of employment and other documents to support the Court's exercise of discretion in this matter in modifying the sentence.

It Is So Ordered.

Date

Judge

Filing a Motion Pro Se

Pro Se (For one's self)

It is always best to hire a licensed attorney to file a motion on your behalf to ensure that it is done properly. Any motion not properly filed with the court will be denied without refund for any filing fees. However, individuals are permitted to file Pro Se. A person filing pro se or appearing pro se is doing so without the assistance of a licensed attorney.

EMPLOYEES OF THE COURT AND PROBATION ARE NOT LICENSED ATTORNEYS AND THEREFORE CANNOT ASSIST IN THE FILING OF MOTIONS

Ohio Rules of Criminal Procedure

RULE 47. Motions

An application to the court for an order shall be by motion. A motion, other than one made during trial or hearing, shall be in writing unless the court permits it to be made orally. It shall state with particularity the grounds upon which it is made and shall set forth the relief or order sought. It shall be supported by a memorandum containing citations of authority, and may also be supported by an affidavit.

To expedite its business, the court may make provision by rule or order for the submission and determination of motions without oral hearing upon brief written statements of reasons in support and opposition.

[Effective: July 1, 1973.]

RULE 49. Service and Filing of Papers

(A) **Service: when required.** Written notices, requests for discovery, designation of record on appeal, written motions other than those heard ex parte, and similar papers, shall be served upon each of the parties.

(B) **Service: how made.** Whenever under these rules or by court order service is required or permitted to be made upon a party represented by an attorney, the service shall be made upon the attorney unless service upon the party himself is ordered by the court. Service upon the attorney or upon the party shall be made in the manner provided in Civil Rule 5(B).

(C) **Filing.** All papers required to be served upon a party shall be filed simultaneously with or immediately after service. Papers filed with the court shall not be considered until proof of service is endorsed thereon or separately filed. The proof of service shall state the date and the manner of service and shall be signed and filed in the manner provided in Civil Rule 5(D).

[Effective: July 1, 1973.]