IN THE COURT OF APPEALS

FOR THE NINTH JUDICIAL DISTRICT

[Name of county] COUNTY, OHIO

|  |  |
| --- | --- |
| [Name of Party]  [Appellant or Appellee]  v.  [Name of Party]  [Appellant or Appellee] | Case No. [Court of Appeals case number]  [Name of Trial Court]  [Trial Court case number] |

**BRIEF OF APPELLEE**

[**ORAL ARGUMENT REQUESTED** – must be included here if you want oral argument]

|  |  |
| --- | --- |
|  | [Enter the following information for a party without an attorney  Name  Address  Phone number  Appellee] |

**TABLE OF CONTENTS**

Table of Contents……………………………….. i

Table of Authorities……………….…………….. [Enter page number]

Assignments of Error…………………………… 1

Statement of the Issues Presented………………. [Enter page number]

Statement of the Case…………………….…..…. [Enter page number]

Statement of Facts……………………….……… [Enter page number]

Argument and Law……………………..……….. [Enter page number]

Assignment of Error I

[Type the first Assignment of Error here. Repeat if more than one Assignment of Error.]

Conclusion……………….………………………. [Enter page number]

Certificate of Service…….………………………. [Enter page number]

Certificate of Compliance…..……………………. [Enter page number]

Appendix

[List items included in appendix and the page number where they appear in the appendix, for example:

Order appealed……………………………………… 1]

**TABLE OF AUTHORITIES**

**Cases**

[List all cases cited in brief]………………………. [Enter page number]

[Example:

*State v. Smith*, 130 Ohio St.3d 12, 2008-Ohio-2343……….. 5]

**Statutes**

[List all statutes cited in brief]……………….……. [Enter page number]

[Example:

R.C. 2901.01 ……………………………………………….. 5]

**Rules**

[List all rules cited in brief]…………….…….……. [Enter page number]

[Example:

Crim.R. 29 ………………………………………………….. 5]

**Other Authorities**

[List all other authorities cited in brief]….…….……. [Enter page number]

[Example:

Ohio Constitution, Article 4, Section 1 …………………….. 5]

**ASSIGNMENTS OF ERROR**

Assignment of Error I

[Type the Assignment of Error. This should be the same as in the Table of Contents and later in the brief. This can be single spaced.]

[Repeat if more than one Assignment of Error.]

**STATEMENT OF THE ISSUES PRESENTED**

[Type the Issues Presented for Review. The statement of the issues shall be a succinct, clear, and accurate statement of the arguments made in the body of the brief. This is not required in **Appellee’s Brief** unless appellee determines the Statement of the Issues Presented made by appellant is not complete or accurate.]

**Statement of the Case**

[Type the Statement of the Case. The statement shall indicate briefly the nature and history of the case, where it was filed, and the result below. This is not required in **Appellee’s Brief** unless appellee determines the Statement of the Case made by appellant is not complete or accurate.]

**Statement of the Facts**

[Type the Statement of the Facts. The statement of the facts shall be relevant to the assignments of error presented for review. It should always be completely accurate, contain reference to all material facts, both favorable and unfavorable, and each fact stated should be supported by references to the record. Refer to the record by document name, date filed, and page number. For example, Motion to Dismiss, 12/27/22 at 3, or, for a transcript of proceedings, T. at 37 or T. Vol II at 310. The Statement of the Facts is not required in **Appellee’s Brief** unless appellee determines the Statement of the Facts made by appellant is not complete or accurate.]

**Argument and Law**

[The argument shall contain the contentions of the party with respect to the assignments of error and the supporting reasons with citations to the authorities and statutes on which the party relies.]

**Assignment of Error I**

Standard of Review

[Each assignment of error shall be separately discussed and shall include the standard of review. The argument should follow the Standard of Review.]

**Assignment of Error II**

Standard of Review

[Repeat for each additional assignment of error.]

**Conclusion**

[A short conclusion stating the precise relief sought.]

Respectfully submitted,

[Signature or enter /s/ name]

Name

Appellee

**Certificate of Service**

I certify that on [enter date], I served a copy of the brief on [indicate the names of parties, or their attorneys, who were served] by [indicate how it was served – email, regular mail, hand delivery, etc.].

[Signature or enter /s/ name]

Name

**CERTIFICATE OF COMPLIANCE**

I certify that this Brief complies with the word-count provision set forth in Ninth District Local Rule 19(B)(2). This Brief is printed using Times New Roman or Georgia 14-point typeface using [name of word processing program] word processing software and contains [number of words] words.

[Signature or enter /s/ name]

Name

**Appendix**

[Generally, only the order appealed should be attached to the brief. This is not required in **Appellee’s Brief** if the item is attached to **Appellant’s Brief**.]