

IN THE UNITED STATES DISTRICT COURT
IN THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION-DAYTON

FILED
KENNETH J. MURPHY
CLERK
02 DEC 18 PM 12:46
U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
WESTERN DIVISION DAYTON

MICHAEL A. GALLUZZO
PLAINTIFF,

CASE NO. C-3-01-174

VS.

Judge Thomas M. Rose
Magistrate Judge Michael R. Merz

CHAMPAIGN COUNTY COURT
OF COMMON PLEAS, et al.
DEFENDANT.

**MOTION OF PLAINTIFF FOR LEAVE TO FILE AN EXTENDED
BRIEF AND PERMISSION of the COURT FOR AMICUS
CONSIDERATION
& PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT
& MERIT BRIEF attached INSTANTER**

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02 DEC 20 AM 11:38
U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
WESTERN DIVISION DAYTON

Plaintiff Michael Galluzzo, for good cause shown, respectfully requests Leave of Court that he be permitted to file an extended brief addressing the numerous legal issues pursuant to the Certified Constitutional Question filed August 12, 2002 by this Court. Plaintiff attaches *instanter* his 43-page Motion for Summary Judgment & Merit Brief.

Pursuant to the December 16, 2002 teleconference with Magistrate Merz, the Court is allowing certain *amicus* briefs to be filed in this matter. Plaintiff indulges the Court that, as a proper party, this Plaintiff should be permitted to thoroughly address the constitutional merits of Ohio's procedural rule and statute so that this Court has all of the information and argument as a matter of law at its disposal.

And where it was this Court's opinion that all such information addressing the merits of the constitutional challenge be made available from the State of Ohio and others, including the Ohio Matrimonial Lawyers Association in support of Defendant's position by providing matters of consideration for the Court to make an appropriate

12/20/02
Galluzzo

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