

IN THE COMMON PLEAS COURT OF PREBLE COUNTY, OHIO

STATE OF OHIO,

#6

Plaintiff,

SEP 13 PM 3:34

vs.

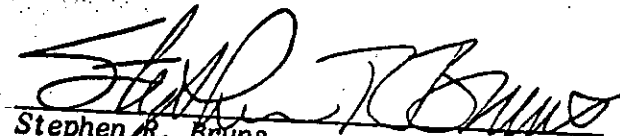
Case No. 91-CR-006887

GARY HEATH,

MOTION

Defendant.

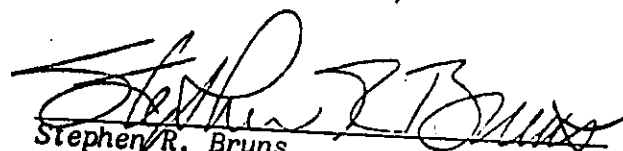
Defendant moves the Court for an order to transfer the defendant from the Human Rehabilitation Center in Montgomery, County, Ohio, to the Preble County Jail for him to serve his sentence for the reason given in the memorandum below.


Stephen R. Bruns
Attorney for Defendant
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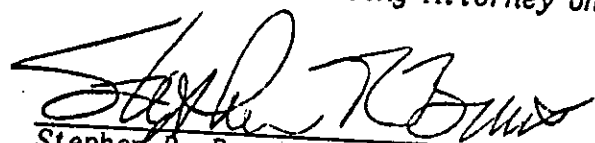
MEMORANDUM

Defendant is currently serving two consecutive six-month sentences imposed by the Court in this case at the Human Rehabilitation Center in Montgomery County. Recently the defendant appeared before the Preble County Grand Jury to voluntarily provide testimony in another criminal case as the Court was previously informed. Apparently, the individual against whom the defendant testified has discovered his testimony as another inmate at the HRC, Donald Christian, has indicated to the defendant that he had been contacted by that individual and Mr. Christian proceeded to imply that he intended to do bodily harm to the defendant because of his testimony. The defendant is not safe in his current incarceration and he would like to serve the remainder of his sentence at the Preble County Jail or some other facility where the source of the threats is unable to do him harm. Not only is the well-being of the defendant at stake, but so is the case in which he is testifying.

Respectfully submitted,


Stephen R. Bruns
Attorney for Defendant

PROOF OF SERVICE: The undersigned hereby certifies that a copy of the foregoing was served by hand-delivery to the Office of the Preble County Prosecuting Attorney on September 13, 1991.


Stephen R. Bruns
Attorney for Defendant