

Shaker

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO

FILED
RECORDED
OCT 3 11 59 AM '96
MARGARET R. O'BRIEN
CLERK OF COURTS
TRUMBULL COUNTY, OHIO

STATE OF OHIO

PLAINTIFF

VS.

ANTHONY CIOFFI, JR.

DEFENDANT

) CASE NO. 96 CR 599
)
) JUDGE MITCHELL F. SHAKER
)
) MOTION FOR MODIFICATION OF
) BOND
)
) SERVICE
)

Now comes defendant who moves for an Order of this Court modifying the bond ordered in this cause in the above captioned matter.

This Court ordered a bond set at \$75,000.00 in this cause.

It is respectfully drawn to the Court's attention that this defendant who is out on bond on a charge now set for trial on October 27th, 1996, has duly appeared at all proceedings.

Further, that the defendant expended funds with a bail bond's man to obtain the bond on the first charge having previously expended funds for the very same bond when said charge was in effect at the Municipal Court level.

Because said matter was presented by direct presentment, the bond was canceled even though the defendant had dutifully appeared.

What has occurred on the charge now pending in the Courtroom of the Honorable John Stuard is that the defendant, ANTHONY CIOFFI, has paid twice for the same \$10,000.00 bond.

Now, because additional charges have been filed, the allegations of which have occurred some four years prior to the allegations pending in the Courtroom of the Honorable John Stuard, this defendant is expected to incur substantial financial hardship in order to attempt to make an additional bond.

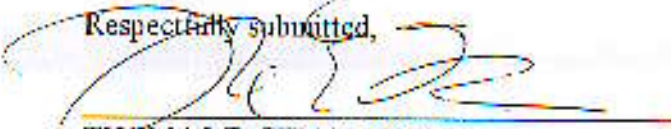
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It is the position of the defendant, that the bond now set in this case is excessive under the circumstances set forth herein and the defendant moves that said bond be modified accordingly again for the following reasons:

1. The allegations in this cause are some four years old;
2. The allegations were the result of direct presentment to a grand jury without right to preliminary hearing; and, the defendant believes that said allegations were presented to a grand jury because the defendant would not enter into a Rule 11 agreement in the case now pending;
3. The defendant has dutifully appeared at all court appearances in all matters before this Court;
4. The defendant has absolutely no contact with the alleged victim in this cause of any kind and it presents no potential harm to either society in general or the alleged victim in particular.

Defendant respectfully moves that the bond in this matter be amended to the sum of \$25,000.00 surety.

Respectfully submitted,


THOMAS E. ZENA, 0007375
Attorney for Defendant
1032 Boardman-Canfield Road
Suites 101 & 103
Youngstown, Ohio 44512
(330) 629-9030

SERVICE

A copy of the foregoing has been forwarded to the Honorable Mitchell Shaker, Trumbull County Courthouse, Warren, Ohio and to Attorney Thomas Wrem, Assistant Prosecuting Attorney, Trumbull County Courthouse, Warren, Ohio.

A handwritten signature in blue ink, appearing to read 'T. Zena', is written over a horizontal line.

THOMAS E. ZENA
Attorney for Defendant