

IN THE COURT OF COMMON PLEAS  
TRUMBULL COUNTY, OHIO

STATE OF OHIO

PLAINTIFF

VS.

ANTHONY CIOFFEL JR.

DEFENDANT

) CASE NO. 96 CR 599

) JUDGE MITCHELL SHAKER

) MOTION TO QUASH INDICTMENT

) IN THE ALTERNATIVE MOTION FOR

) SPECIFIED RESPONSE AND AMENDED

) BILL OF PARTICULARS

)

)

The indictment in this cause a copy of which is attached hereto states that on or about the summer of 1992, certain acts of a very serious nature are alleged against this defendant.

It is impossible for the defendant to defend this indictment regarding allegations that occurred some four years ago with the specificity of the dates of said allegations. On or about the summer of 1992, does not even qualify the alleged allegations for the period of the summer.

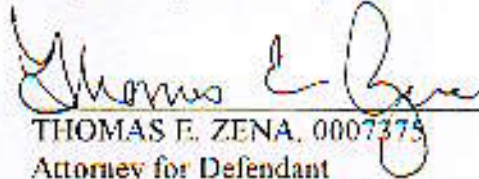
The defendant has viable defenses to this matter which cannot be raised until he has been properly informed pursuant to the requirements of the allegations and content of the indictment. The defendant says that this indictment is wilfully defective in providing proper notice to the defendant of the allegation of the charges therein. The defendant's rights to due process of law and equal protection are violated as are his rights under the Fourth, Fifth, Sixth, Eighth and Fourteenth Amendments of the United States Constitution; as well as Article 1 of the Ohio Constitution.

In the alternative the defendant further request the right to depose the alleged victims of this cause prior to the trial of this action to determine as best as possible dates for the alleged allegations as set forth in the indictment.

This defendant cannot properly defend himself based upon the status of this indictment.

As an additional alternative the defendant request separate trials on each Count set forth in said indictment to avoid the prejudicial joinder of the allegations as they are now written.

Respectfully submitted,



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#### SERVICES

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



THOMAS E. ZENA  
Attorney for Defendant