

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

ROGER DEAN GILLISPIE,

Petitioner,

-vs-

DEB TIMMERMAN-COOPER, Warden,

Respondent.

:

Case No. 3:09-cv-471

:

District Judge Walter Herbert Rice
Magistrate Judge Michael R. Merz

:

ORDER DENYING MOTION FOR LEAVE TO APPEAR *PRO HAC VICE*

This habeas corpus case is before the Court on Motion of Petitioner to admit attorney Mark Godsey *pro hac vice* (Doc. No. 6).

The Motion is denied because it is not signed by Mr. Petro, Petitioner's trial attorney. Additionally, the Court notes that Mr. Godsey is not eligible to be admitted *pro hac vice*. The motion papers show, as the Court would have expected, that Mr. Godsey, Director of the Innocence Project at the University of Cincinnati, is a member in good standing of the bar of the Ohio Supreme Court. However, S. D. Ohio Civ. R. 83.3 permits admission *pro hac vice* only for attorneys who are "not otherwise eligible for admission to the Bar of this Court." Since Mr. Godsey is a member of the Ohio Supreme Court bar, he is not eligible to be admitted *pro hac vice*.

February 23, 2010.

s/ **Michael R. Merz**
United States Magistrate Judge