

McGarry Law Office

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CONFIDENTIAL ATTORNEY-CLIENT CORRESPONDENCE

September 17, 2012

Keith Lamar
#317-117
Ohio State Penitentiary
878 Coitsville-Hubbard Road
Youngstown, Ohio 44505

Dear Keith:

I am writing in response to your letter of August 26, 2012, which I received last night. I did not receive it sooner because it had the wrong address on it. I am at P.O. Box 310, not 301. As it turns out, Box 301 belongs to the Homeowners Association for the development down the road. They do not check their mail daily or even weekly, but the secretary recognized my name and notified me that it was in their mail she picked up yesterday and then brought it to my house last night.

I filed the motion for extension of time on September 11, 2012. I mailed it to you on September 13, 2012 and e-mailed a copy to the Lynds. I was trying to get confirmation of my visit before I sent it to you and was unable to get it so I mailed it anyway. I received the order granting the motion on September 14, 2012, but was out of my office. It is enclosed with this correspondence. All this was done without me ever receiving your letter instructing me to bring you up to date, since you should know after all these years that I do send you copies of motions and orders when they are filed or very shortly thereafter.

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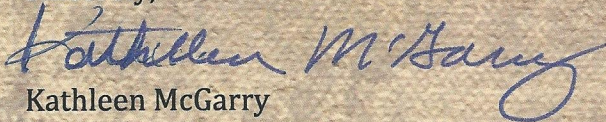
I do not know if you sent David a copy of the letter you sent me, but I have scanned it and e-mailed it to him. He is in the midst of a death penalty murder trial that started the day after Labor Day, so even if he received it he would not have been able to visit you. I am scheduled to visit you on October 4, 2012.

I am aware of the discovery litigation in the other 4 cases. As you know, we did get a fair amount of discovery in your case, without being involved in the litigation and at that time we were constantly asking for additional discovery as it became known to us. In fact, I think that some of the discovery requests made in the other case came as a result of the discovery we shared with the other attorneys in the cases, and we shared with the Lynds. I will go back over the discovery requests made in the other cases and we can discuss it when I see you. I am not opposed to filing a motion to remand; I just have not seen the basis to do so given my discussions with the other Lucasville attorneys. As you know your case is much different than the other four, since your alleged crimes were completed at the beginning of the riot and the other cases revolved around the killing of the guard.

I realize that you are anxious about your case, and I have tried to keep you informed of everything going on. As I have told you previously you can always call me to find out information, even if it means that I just tell you nothing is going on.

I will see you on October 4, 2012.

Sincerely,



Kathleen McGarry

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