

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF COMPLAINT TO,
NANCY M. RUSSO,
COMPLAINANT,

CASE NUMBER: 17-1142-CSS

VS.

THE CLEVELAND ELECTRIC ILLUMINATING
COMPANY,
RESPONDENT,

MOTION TO CONTINUE SETTLEMENT CONFERENCE

Now comes the Complainant, Nancy M. Russo, by and through his counsel, Michael J. Cheselka, Jr., and moves this Commission to continue the Settlement Conference scheduled for August 22, 2017.

The reason for this motion is due to plea negotiations falling through, Counsel is scheduled to start a Jury Trial in *The State of Ohio v. Solomon Lewis case no. CR-17-615253*, This Trial is expected to last two week. Please see Exhibit A a copy of the docket for the Courts Viewing. This Motion is not offered for purposes of delay and we look forward to a prompt resolution of this case.

WHEREFORE the Defendant respectfully moves this Court to continue the Settlement Conference to a date convenient to the court. Counsel will be available on September 18, 19, 25, or the 26, 2017. If these dates work for the Commission.

Respectfully submitted,

/s/ Michael J. Cheselka, Jr.
MICHAEL J. CHESELKA, JR. (0076667)
75 Public Square, Suite 920
Cleveland, Ohio 44113
216.696.0442 (p) 216.696.0075 (f)
Michael@mcheselka.org

CERTIFICATE OF SERVICE

A copy of the foregoing Motion for Motion to Continue Settlement Conference was served on Respondent by delivering a copy bi e-filing thereof to The Public Utilities Commission Of Ohio, on this 11 th day of August, 2017.

/s/ Michael J. Cheselka, Jr.
MICHAEL J. CHESELKA, JR.
Attorney for *Nancy M. Russo*

EXHIBIT

[Print](#)A**CASE INFORMATION****CR-17-615253-A THE STATE OF OHIO vs. SOLOMON LEWIS**

Case Information

Number: CR-17-615253-A
Status: CASE OPEN
Judge Name: STEVEN E GALL
Next Event: TRIAL SET FOR 08/21/2017 AT 08:30 AM IN ROOM 23C JUSTICE CENTER
Arrested Date: N/A
Arresting Agency: CLEVELAND POLICE
Arresting Agency Report: N/A
Court of Appeals Case: N/A

Defendant Information

Number: 13861014
Name: SOLOMON LEWIS
Status: DEFN JAIL
Date of Birth: 03/02/1998
Race: BLACK
Sex: MALE
Other Cases: CR-16-606037-A
Co-Defendants: N/A

Charges

Type	Statute	Description	Disposition
INDICT	2903.02.A	ATTEMPTED, MURDER	
INDICT	2903.11.A(1)	FELONIOUS ASSAULT	
INDICT	2903.11.A(2)	FELONIOUS ASSAULT	
INDICT	2903.11.A(2)	FELONIOUS ASSAULT	
INDICT	2903.11.A(2)	FELONIOUS ASSAULT	
INDICT	2923.162.A(3)	DISCHARGE OF FIREARM ON OR NEAR PROHIBITED PREMISES	
INDICT	2923.161.A(1)	IMPROPER DISCHARGING FIREARM AT OR INTO HABITATION OR SCHOOL	
INDICT	2923.16.A	IMPROPERLY HANDLING FIREARMS IN A MOTOR VEHICLE	

Bond Information

Bond Number	Amount	Type	Date Set	Date Posted	Bondsman/Surety Co.
692106	\$500,000.00	CASH/SURETY/PROP.	04/29/2016		

Case Actions

Event Date	Event
06/26/2017	PRETRIAL HELD
06/15/2017	PRETRIAL HELD
05/31/2017	PRETRIAL HELD
05/03/2017	PRETRIAL HELD
04/11/2017	PRETRIAL HELD
04/06/2017	ARRAIGNED
04/03/2017	INDICTED BINDOVER
02/28/2017	JAIL
02/27/2017	TRANSCRIPT FILED
02/27/2017	BINDOVER CIF#CI171899BJ

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CASE INFORMATION





CR-17-615253-A THE STATE OF OHIO vs. SOLOMON LEWIS

Docket Information

Proceeding Date	Filing Date	Side	Type	Description	Image
08/10/2017	08/10/2017	N/A	SB	SHERIFF SERVICE FEES FOR SUBPOENA NUMBER 1169387, IN THE AMOUNT OF \$11.50.	
08/10/2017	08/10/2017	N/A	SB	SHERIFF SERVICE FEES FOR SUBPOENA NUMBER 1169386, IN THE AMOUNT OF \$11.50.	
08/10/2017	08/10/2017	N/A	SB	SHERIFF SERVICE FEES FOR SUBPOENA NUMBER 1169385, IN THE AMOUNT OF \$11.50.	
08/10/2017	08/10/2017	N/A	SB	SHERIFF SERVICE FEES FOR SUBPOENA NUMBER 1169383, IN THE AMOUNT OF \$11.50.	
08/07/2017	08/07/2017	N/A	SB	STATE SUBPOENA ISSUED	
08/07/2017	08/07/2017	N/A	SB	STATE SUBPOENA ISSUED	
08/07/2017	08/07/2017	N/A	SB	STATE SUBPOENA ISSUED	
08/07/2017	08/07/2017	N/A	SB	STATE SUBPOENA ISSUED	
08/07/2017	08/07/2017	N/A	SB	STATE SUBPOENA ISSUED	
08/07/2017	08/07/2017	N/A	SB	STATE SUBPOENA ISSUED	
08/07/2017	08/07/2017	N/A	SB	STATE SUBPOENA ISSUED	
08/07/2017	08/07/2017	N/A	SB	STATE SUBPOENA ISSUED	
08/07/2017	08/07/2017	N/A	SB	STATE SUBPOENA ISSUED	
08/07/2017	08/07/2017	N/A	SB	STATE SUBPOENA ISSUED	
08/07/2017	08/07/2017	N/A	SB	STATE SUBPOENA ISSUED	
08/07/2017	08/07/2017	N/A	SB	STATE SUBPOENA ISSUED	
08/07/2017	08/07/2017	N/A	SB	STATE SUBPOENA ISSUED	
08/07/2017	08/07/2017	N/A	SB	STATE SUBPOENA ISSUED	
08/07/2017	08/07/2017	N/A	SB	STATE SUBPOENA ISSUED	
08/07/2017	08/07/2017	N/A	SB	STATE SUBPOENA ISSUED	
08/01/2017	08/01/2017	N/A	SB	SHERIFF SERVICE FEES FOR SUBPOENA NUMBER 1165861, IN THE AMOUNT OF \$8.50.	
08/01/2017	08/01/2017	N/A	SB	SHERIFF SERVICE FEES FOR SUBPOENA NUMBER 1165860, IN THE AMOUNT OF \$8.50.	
08/01/2017	08/01/2017	N/A	SB	SHERIFF SERVICE FEES FOR SUBPOENA NUMBER 1165859, IN THE AMOUNT OF \$8.50.	
08/01/2017	08/01/2017	N/A	SB	SHERIFF SERVICE FEES FOR SUBPOENA NUMBER 1165855, IN THE AMOUNT OF \$8.50.	
08/01/2017	08/01/2017	N/A	SB	SHERIFF SERVICE FEES FOR SUBPOENA NUMBER 1165854, IN THE AMOUNT OF \$8.50.	
08/01/2017	08/01/2017	N/A	SB	SHERIFF SERVICE FEES FOR SUBPOENA NUMBER 1165852, IN THE AMOUNT OF \$8.50.	
08/01/2017	08/01/2017	N/A	SB	SHERIFF SERVICE FEES FOR SUBPOENA NUMBER 1165849, IN THE AMOUNT OF \$8.50.	
08/01/2017	08/01/2017	N/A	SB	SHERIFF SERVICE FEES FOR SUBPOENA NUMBER 1165839, IN	

				THE AMOUNT OF \$8.50.
08/01/2017	08/01/2017	N/A	SB	SHERIFF SERVICE FEES FOR SUBPOENA NUMBER 1165834, IN THE AMOUNT OF \$8.50.
08/01/2017	08/01/2017	N/A	SB	SHERIFF SERVICE FEES FOR SUBPOENA NUMBER 1165832, IN THE AMOUNT OF \$8.50.
08/01/2017	08/01/2017	N/A	SB	SHERIFF SERVICE FEES FOR SUBPOENA NUMBER 1165831, IN THE AMOUNT OF \$8.50.
08/01/2017	08/01/2017	N/A	SB	SHERIFF SERVICE FEES FOR SUBPOENA NUMBER 1165824, IN THE AMOUNT OF \$8.50.
08/01/2017	08/01/2017	N/A	SB	SHERIFF SERVICE FEES FOR SUBPOENA NUMBER 1165823, IN THE AMOUNT OF \$8.50.
08/01/2017	08/01/2017	N/A	SB	SHERIFF SERVICE FEES FOR SUBPOENA NUMBER 1165822, IN THE AMOUNT OF \$8.50.
07/28/2017	07/28/2017	N/A	CS	CALLING WITNESS
07/28/2017	07/28/2017	N/A	SB	WITNESS VOUCHER PRINTED FOR SUBPOENA 1165852
07/25/2017	07/25/2017	N/A	CS	COURT REPORTER FEE
07/24/2017	07/26/2017	N/A	JE	DEFENDANT IN COURT WITH RETAINED COUNSEL MICHAEL J. CHESELKA. PROSECUTOR(S) EDWARD R. FADEL PRESENT. COURT REPORTER PRESENT. CASE SET FOR TRIAL ON THIS DAY. DEFENSE COUNSEL ENGAGED IN TRIAL 615931. TRIAL CONTINUED AT DEFENDANTS REQUEST. TRIAL SET FOR 08/21/2017 AT 08:30 AM. AT THE REQUEST OF DEFENDANT. 07/24/2017 CPROB 07/26/2017 15:37:09
07/24/2017	07/24/2017	N/A	SB	SHERIFF SERVICE FEES FOR SUBPOENA NUMBER 1165690, IN THE AMOUNT OF \$11.50.
07/24/2017	07/24/2017	N/A	CS	CALLING WITNESS
07/24/2017	07/24/2017	N/A	SB	WITNESS VOUCHER PRINTED FOR SUBPOENA 1165861
07/24/2017	07/24/2017	N/A	CS	CALLING WITNESS
07/24/2017	07/24/2017	N/A	SB	WITNESS VOUCHER PRINTED FOR SUBPOENA 1165860
07/24/2017	07/24/2017	N/A	CS	CALLING WITNESS
07/24/2017	07/24/2017	N/A	SB	WITNESS VOUCHER PRINTED FOR SUBPOENA 1165855
07/24/2017	07/24/2017	N/A	CS	CALLING WITNESS
07/24/2017	07/24/2017	N/A	SB	WITNESS VOUCHER PRINTED FOR SUBPOENA 1165839
07/24/2017	07/24/2017	N/A	CS	CALLING WITNESS
07/24/2017	07/24/2017	N/A	SB	WITNESS VOUCHER PRINTED FOR SUBPOENA 1165859
07/24/2017	07/24/2017	N/A	CS	CALLING WITNESS
07/24/2017	07/24/2017	N/A	SB	WITNESS VOUCHER PRINTED FOR SUBPOENA 1165823
07/21/2017	07/21/2017	N/A	SB	SHERIFF SERVICE FEES FOR SUBPOENA NUMBER 1165850, IN THE AMOUNT OF \$6.00.
07/19/2017	07/19/2017	N/A	SB	SHERIFF SERVICE FEES FOR SUBPOENA NUMBER 1165689, IN THE AMOUNT OF \$11.50.
07/19/2017	07/19/2017	N/A	SB	SHERIFF SERVICE FEES FOR SUBPOENA NUMBER 1165688, IN THE AMOUNT OF \$11.50.
07/19/2017	07/19/2017	N/A	SB	SHERIFF SERVICE FEES FOR SUBPOENA NUMBER 1165687, IN THE AMOUNT OF \$11.50.
07/19/2017	07/19/2017	N/A	SB	SHERIFF SERVICE FEES FOR SUBPOENA NUMBER 1165686, IN THE AMOUNT OF \$11.50.
07/18/2017	07/18/2017	D1	MO	MOTION FOR CONTINUANCE, FILED. MOTION FOR CONTINUANCE
07/17/2017	07/17/2017	N/A	SB	STATE SUBPOENA ISSUED
07/17/2017	07/17/2017	N/A	SB	STATE SUBPOENA ISSUED
07/17/2017	07/17/2017	N/A	SB	STATE SUBPOENA ISSUED
07/17/2017	07/17/2017	N/A	SB	STATE SUBPOENA ISSUED
07/17/2017	07/17/2017	N/A	SB	STATE SUBPOENA ISSUED
07/17/2017	07/17/2017	N/A	SB	STATE SUBPOENA ISSUED

07/17/2017	07/17/2017	N/A	SB	STATE SUBPOENA ISSUED	
07/17/2017	07/17/2017	N/A	SB	STATE SUBPOENA ISSUED	
07/17/2017	07/17/2017	N/A	SB	STATE SUBPOENA ISSUED	
07/17/2017	07/17/2017	N/A	SB	STATE SUBPOENA ISSUED	
07/17/2017	07/17/2017	N/A	SB	STATE SUBPOENA ISSUED	
07/17/2017	07/17/2017	N/A	SB	STATE SUBPOENA ISSUED	
07/17/2017	07/17/2017	N/A	SB	STATE SUBPOENA ISSUED	
07/17/2017	07/17/2017	N/A	SB	STATE SUBPOENA ISSUED	
07/14/2017	07/14/2017	N/A	SB	STATE SUBPOENA ISSUED	
07/14/2017	07/14/2017	N/A	SB	STATE SUBPOENA ISSUED	
07/14/2017	07/14/2017	N/A	SB	STATE SUBPOENA ISSUED	
07/14/2017	07/14/2017	N/A	SB	STATE SUBPOENA ISSUED	
07/14/2017	07/14/2017	N/A	SB	STATE SUBPOENA ISSUED	
07/11/2017	07/13/2017	N/A	JE	PRETRIAL NOT HELD 7/11/17. DEFENSE COUNSEL ENGANGED IN TRIAL ON UNRELATED CASE IN ANOTHER JURISDICTION. TRIAL REMAINS SET FOR 07/24/2017 AT 08:30 AM. AT THE REQUEST OF DEFENDANT. 07/11/2017 CPROB 07/13/2017 15:33:42	
06/29/2017	06/29/2017	D1	MO	MOTION FOR BOND REDUCTION, FILED. MOTION FOR BOND REDUCTION	
06/26/2017	07/06/2017	N/A	JE	PRETRIAL HELD 06/26/2017. PRETRIAL SET FOR 07/11/2017 AT 09:00 AM. AT THE REQUEST OF DEFENDANT. REASON FOR CONTINUANCE: ONGOING DISCOVERY AND CONTINUING NEGOTIATION TALKS TOWARDS CASE RESOLUTION. TRIAL REMAINS SET FOR 07/24/2017 AT 08:30 AM. AT THE REQUEST OF DEFENDANT. 06/26/2017 CPROB 06/29/2017 11:08:18	
06/15/2017	06/19/2017	N/A	JE	PRETRIAL HELD 06/15/2017. FINAL PRETRIAL SET FOR 07/13/2017 AT 09:00 AM . AT THE REQUEST OF DEFENDANT. TRIAL REMAINS SET FOR 07/24/2017 AT 08:30 AM. AT THE REQUEST OF DEFENDANT. 06/15/2017 CPROB 06/16/2017 11:12:22	
05/31/2017	05/31/2017	N/A	JE	PRETRIAL HELD 05/31/2017. PRETRIAL SET FOR 06/15/2017 AT 09:00 AM. AT THE REQUEST OF DEFENDANT. REASON FOR CONTINUANCE: ONGOING DISCOVERY AND CONTINUING NEGOTIATION TALKS TOWARDS CASE RESOLUTION. TRIAL REMAINS SET FOR 07/24/2017 AT 08:30 AM. AT THE REQUEST OF DEFENDANT. 05/31/2017 CPROB 05/31/2017 14:24:36	
05/22/2017	05/22/2017	N/A	JE	PRETRIAL NOT HELD. PRETRIAL PREVIOUSLY SCHEDULED FOR 05/22/2017 AT 09:00AM IS RESCHEDULED FOR 05/31/2017 AT 09:00AM. AT THE REQUEST OF DEFENDANT. REASON FOR CONTINUANCE: DEFENSE COUNSEL UNAVAILABLE FOR PRETRIAL FOR REASON UNKNOWN. NEW PRETRIAL DATE REQUESTED TRIAL SET FOR 07/24/2017 AT 08:30 AM. AT THE REQUEST OF DEFENDANT. 05/22/2017 CPROB 05/22/2017 14:17:25	
05/03/2017	05/04/2017	N/A	JE	PRETRIAL HELD 05/03/2017. PRETRIAL SET FOR 05/22/2017 AT 09:00 AM. AT THE REQUEST OF DEFENDANT. REASON FOR CONTINUANCE: ONGOING DISCOVERY TRIAL SET FOR 05/22/2017 AT 08:30 AM. AT THE REQUEST OF DEFENDANT. 05/03/2017 CPROB 05/03/2017 15:36:39	
05/03/2017	05/03/2017	P1	GP	STATE'S DEMAND FOR DISCOVERY, FILED. DEMAND FOR DISCOVERY	
05/03/2017	05/03/2017	P1	GP	STATE'S DEMAND FOR DISCOVERY, FILED. DEMAND FOR DISCOVERY	
05/03/2017	05/03/2017	P1	NT	STATE'S RESPONSE TO DEFENDANT'S REQUEST FOR DISCOVERY AND BILL OF PARTICULARS UNDER RULE 16, FILED . RESPONSE TO DISCOVERY	
04/14/2017	04/14/2017	D1	MO	MOTION FOR DISCOVERY, FILED MOTION FOR DISCOVERY	
04/11/2017	04/11/2017	N/A	JE	PRETRIAL NOT HELD. PRETRIAL PREVIOUSLY SCHEDULED FOR	

				04/11/2017 AT 09:00AM IS RESCHEDULED FOR 04/12/2017 AT 09:00AM. AT THE REQUEST OF DEFENDANT. REASON FOR CONTINUANCE: DEFENSE COUNSEL ADVISED COURT HE DID NOT RECEIVE NOTICE OF PRETRIAL DATE SET BY ARRAIGNMENT. NEW DATE REQUESTED, 04/11/2017 CPROB 04/11/2017 14:37:37	
04/11/2017	04/17/2017	N/A	JE	PRETRIAL HELD 04/11/2017. PRETRIAL SET FOR 05/03/2017 AT 09:00 AM. AT THE REQUEST OF DEFENDANT. REASON FOR CONTINUANCE: ONGOING DISCOVERY AND CONTINUING NEGOTIATION TALKS TOWARDS CASE RESOLUTION. 04/11/2017 CPROB 04/14/2017 12:39:34	
04/06/2017	04/06/2017	D1	NT	NOTICE FILED BY D1 SOLOMON LEWIS ATTORNEY MICHAEL J. CHESELKA 0076667 NOTICE OF SUBSTITUTION	
04/06/2017	04/06/2017	N/A	CS	PRISONER IN COURT	
04/06/2017	04/06/2017	N/A	JE	DEFENDANT DECLARED INDIGENT. COURT ASSIGNED BENSING, RUSSELL S AS COUNSEL, ATTORNEY WAS NOTIFIED BY EMAIL. READING OF INDICTMENT WAIVED. TWENTY-FOUR HOUR SERVICE WAIVED. DEFENDANT PLEAD NOT GUILTY TO INDICTMENT. ORIG BOND CONT AT 500,000.00 DOLLARS. BOND TYPE: CASH/SURETY/PROP.. BOND CONDITIONS: NO CONTACT WITH VICTIM JUDGE GALL, STEVEN E (363) ASSIGNED (MANUALLY). FIRST PRETRIAL SET FOR 04/11/2017 AT 09:00 AM IN COURT ROOM JC23C JUDGE STEVEN E. GALL.	
04/03/2017	04/04/2017	N/A	SH	SHERIFF SERVICE OF INDICTMENT	
04/03/2017	04/04/2017	N/A	GP	ARRAIGNMENT SCHEDULED FOR 04/06/2017.	
04/03/2017	04/03/2017	N/A	CR	INDICTED BINDOVER ON 04/03/2017	
04/03/2017	04/04/2017	N/A	SF	LEGAL RESEARCH	
04/03/2017	04/04/2017	N/A	SF	COURT SPECIAL PROJECTS FUND	
04/03/2017	04/04/2017	N/A	SF	CRIME STOPPERS	
04/03/2017	04/04/2017	N/A	SF	COMPUTER FEE	
04/03/2017	04/04/2017	N/A	SF	CLERK FEE	
03/13/2017	03/13/2017	N/A	GP	CASH/SURETY/PROP. BOND SET , AMOUNT \$500,000.00	
03/13/2017	03/13/2017	N/A	CR	CIF ENTERED	
02/27/2017	03/13/2017	N/A	CR	TRANSCRIPT FILED	
02/27/2017	03/13/2017	N/A	CR	BINDOVER CIF#CI171899BJ	
01/15/2016	03/13/2017	N/A	CR	DATE OF OFFENSE 01/15/2016	

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Commission of Ohio Docketing Information System on

8/16/2017 11:24:21 AM

in

Case No(s). 17-1142-EL-CSS

Summary: Motion Motion to Continue Settlement Conference. electronically filed by Mr. Michael J Cheselka on behalf of The Cleveland Electric Illuminating company and Miss Nancy M. Russo