

OPINIONS OF THE SUPREME COURT OF OHIO

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Flora, Appellant, v. Rogers, Supt., Appellee.
[Cite as Flora v. Rogers (1993), Ohio St.3d .]
Habeas corpus not available to review issues of nonjurisdictional nature -- No substitute for appeal.
(No. 93-611 -- Submitted July 28, 1993 -- Decided October 13, 1993.)

Appeal from the Court of Appeals for Marion County, No. 9-93-9.

In a petition for a writ of habeas corpus, filed in the court of appeals, appellant, Mike Flora, alleged that he was convicted of aggravated murder and attempted kidnapping and sentenced to from thirty years to life imprisonment. He also alleged that a kidnapping instruction was given during the trial, which violated his constitutional rights and constituted judicial misconduct entitling him to be released pursuant to a writ of habeas corpus. The court of appeals dismissed the petition, finding that the issues raised did not attack the jurisdiction of the court, and were, therefore, merely grounds on which to appeal.

The cause is before the court upon an appeal as of right.

Mike Flora, pro se.

Per Curiam. We affirm the judgment of the court of appeals for the reasons stated in its decision.

Judgment affirmed.

Moyer, C.J., A.W. Sweeney, Douglas, Wright, Resnick, F.E. Sweeney and Pfeifer, JJ., concur.