

OPINIONS OF THE SUPREME COURT OF OHIO

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The State of Ohio, Appellee, v. Jackson, Appellant.

[Cite as State v. Jackson (1994), Ohio St.3d .]
Appellate procedure -- Application for reopening appeal from judgment of conviction based on claim of ineffective assistance of appellate counsel -- Application denied when not filed within ninety days of journalization of appellate judgment as required by App.R. 26(B)(2)(b).
(No. 94-1487 Submitted October 11, 1994 -- Decided December 7, 1994.)

Appeal from the Court of Appeals for Hamilton County, No. C-910298.

Appellant, Ishmael Jackson, alleges he was convicted of two counts of felonious assault on a police officer with a gun specification, trafficking in cocaine, and drug abuse. He appealed, and the court of appeals affirmed the conviction by judgment entry of August 5, 1992. Appellant's motion for leave to appeal to this court was overruled. State v. Jackson (1993), 65 Ohio St.3d 1489, 605 N.E.2d 390. He applied to the court of appeals to reopen the appeal from the judgment of conviction, alleging ineffective assistance of appellate counsel pursuant to App. R. 26(B). The court of appeals denied the application on the basis that appellant failed to show good cause for filing the application more than ninety days after the court of appeals' judgment was journalized, as required by App. R. 26(B)(2)(b). Appellant appeals the denial to this court.

Joseph T. Deters, Hamilton County Prosecuting Attorney,
and L. Susan Baker, Assistant Prosecuting Attorney, for
appellee.

Ishmael Jackson, pro se.

Per Curiam. The decision of the court of appeals is affirmed for the reasons stated therein.

Judgment affirmed.

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