

THE STATE OF OHIO, APPELLEE, v. BRADY, APPELLANT.

[Cite as *State v. Brady*, 1994-Ohio-50.]

*Appellate procedure—App.R. 26(B)—Application for reopening appeal from judgment of conviction based on claim of ineffective assistance of appellate counsel—Application denied when appellant fails to show that appellate counsel was ineffective.*

(No. 94-1206—Submitted August 17, 1994—Decided November 9, 1994.)

APPEAL from the Court of Appeals for Summit County, No. 16329.

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{¶ 1} Appellant, Harold Brady II, alleges he was convicted of one count of felonious assault and one count of burglary. He appealed, and the court of appeals affirmed the conviction by judgment entry of January 12, 1994. Appellant's motion to certify the record to this court was overruled. *State v. Brady* (1994), 69 Ohio St.3d 1430, 631 N.E.2d 641. He applied to the court of appeals to reopen the appeal from the judgment of conviction, alleging ineffective assistance of appellate counsel. In May 1994, the court of appeals denied the application on the basis that appellant did not show that appellate counsel was ineffective. Appellant appeals the denial to this court.

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*Lynn C. Slaby*, Summit County Prosecuting Attorney, and *Philip D. Bogdanoff*, Assistant Prosecuting Attorney, for appellee.

*Harold Brady*, *pro se*.

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***Per Curiam.***

{¶ 2} The decision of the court of appeals is affirmed for the reasons stated by the court of appeals.

SUPREME COURT OF OHIO

*Judgment affirmed.*

MOYER, C.J., A.W. SWEENEY, DOUGLAS, WRIGHT, RESNICK, F.E. SWEENEY  
and PFEIFER, JJ., concur.

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