

OPINIONS OF THE SUPREME COURT OF OHIO

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The State ex rel. Peeples, Appellant, v. Wilford, Appellee.
[Cite as State ex rel. Peeples v. Wilford (1995), Ohio St. 3d .]

Mandamus to compel defendant's attorney to file a postconviction petition pursuant to R.C. 2953.21 -- Writ denied, when.

(No. 95-276--Submitted April 18, 1995--Decided June 28, 1995.)

Appeal from the Court of Appeals for Pickaway County, No. 94 CA 30.

According to his complaint in mandamus filed in the court of appeals, appellant, Kavin Lee Peeples, was convicted of aggravated murder and sentenced to thirty years to life imprisonment. His conviction was affirmed on appeal, State v. Peeples (1994), 94 Ohio App.3d 34, 640 N.E.2d 208, and we overruled his motion for leave to appeal to this court, 70 Ohio St.3d 1445, 639 N.E.2d 1130. Appellee, Barry W. Wilford, was appellant's attorney on the motion for leave to appeal to this court.

Subsequently, appellant filed a complaint for a writ of mandamus in the court of appeals, seeking to compel appellee to file a postconviction petition pursuant to R.C. 2953.21. The court of appeals essentially held that appellant had no constitutional or other right to appointment of counsel in these circumstances and denied the writ.

Appellant appeals to this court as a matter of right.

Kavin Lee Peeples, pro se.

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

Judgment affirmed.

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