

**THE STATE OF OHIO, APPELLEE, v. VOORHIES, APPELLANT.**

**[Cite as *State v. Voorhies*, 1996-Ohio-36.]**

*Appellate procedure—Application for reopening appeal from judgment and conviction based on claim of ineffective assistance of appellate counsel—Application denied when it contains bare allegations that fail to satisfy requirements of App.R. 26(B)(2)(d).*

(No. 96-460—Submitted June 4, 1996—Decided July 24, 1996.)

APPEAL from the Court of Appeals for Guernsey County, No. 94-CA-8.

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{¶ 1} On January 28, 1994, appellant, Robert Voorhies, was convicted of one count of murder with a firearm specification, and one count of attempted murder. Appellant was thereafter sentenced to a term of imprisonment. Upon appeal, the convictions were affirmed. *State v. Voorhies* (June 14, 1995), Guernsey App. No. 94-CA-8, unreported, 1995 WL 495820.

{¶ 2} Appellant filed an application for reopening on September 5, 1995 before the court of appeals pursuant to App. R. 26(B), alleging ineffective assistance of appellate counsel. In a judgment entry dated September 28, 1995, appellant's application was denied, but no reason for the denial was given. On December 19, 1995, appellant's appeal to this court was dismissed *sua sponte* for failure to prosecute with requisite diligence. *State v. Voorhies* (1995), 74 Ohio St.3d 1480, 657 N.E.2d 1374.

{¶ 3} Upon applicant's motion, the court of appeals issued another judgment entry on February 12, 1996 denying appellant's application filed pursuant to App. R. 26(B). The court of appeals held that appellant's application for reopening contained bare allegations that failed to satisfy the requirements of App.

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R 26(B)(2)(d), and, therefore, the court again denied appellant's application. Appellant appeals that denial to this court.

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*C. Keith Plummer*, Guernsey County Prosecuting Attorney, and *Josephine E. Hayes*, Assistant Prosecuting Attorney, for appellee.

*Robert Voorhies, pro se.*

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***Per Curiam.***

{¶ 4} We affirm the judgment of the court of appeals for the reasons stated in its judgment entry.

*Judgment affirmed.*

MOYER, C.J., DOUGLAS, RESNICK, F.E. SWEENEY, PFEIFER, COOK and STRATTON, JJ., concur.

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