

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

**[Cite as *State v. Taylor*, 1996-Ohio-42.]**

*Appellate procedure—Application for reopening appeal from judgment and conviction based on claim of ineffective assistance of appellate counsel—Application denied when applicant fails to demonstrate a genuine issue as to whether he was deprived of the effective assistance of counsel on appeal.*

(No. 95-2461—Submitted March 19, 1996—Decided May 15, 1996.)

APPEAL from the Court of Appeals for Ashtabula County, No. 93-A-1812.

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{¶ 1} In June 1993, appellant, Gary D. Taylor, was convicted of aggravated burglary and felonious assault. Taylor was then sentenced to prison, and the court of appeals affirmed the convictions and sentence. *State v. Taylor* (Dec. 23, 1994), Ashtabula App. No. 93-A-1812, unreported, 1994 WL 738482, appeal dismissed (1995), 72 Ohio St.3d 1414, 647 N.E.2d 1388.

{¶ 2} On August 15, 1995, appellant filed with the court of appeals an application to reopen his appeal under App.R. 26(B), alleging ineffective assistance of his appellate counsel. The court of appeals rejected the application finding, *inter alia*, that “no grounds were presented which would warrant a reopening of appellant’s appeal.” Appellant now appeals that denial to this court.

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*Gregory J. Brown*, Ashtabula County Prosecuting Attorney, for appellee.

*Gary D. Taylor*, *pro se*.

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SUPREME COURT OF OHIO

*Per Curiam.*

{¶ 3} We affirm the judgment of the court of appeals based on that court’s analysis of appellant’s claims. Appellant has failed to demonstrate “a genuine issue as to whether the applicant was deprived of the effective assistance of counsel on appeal.” App.R. 26(B)(5).

*Judgment affirmed.*

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

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