

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

**[Cite as *State v. Charlton*, 1996-Ohio-87.]**

*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 establish good cause for failing to file his application within ninety days after journalization of the court of appeals’ decision affirming the conviction, as required by App.R. 26(B).*

(No. 95-1357—Submitted September 12, 1995—Decided January 10, 1996.)

APPEAL from the Court of Appeals for Lorain County, No. 92CA005294.

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{¶ 1} Appellant, Joseph A. Charlton, was convicted of aggravated riot with a prior offense of violence specification, and resisting arrest. The court of appeals affirmed the convictions. *State v. Charlton* (Oct. 28, 1992), Lorain App. No. 92CA005294, unreported. The court later denied appellant’s application for reopening, filed on April 11, 1995, because it was neither timely filed nor did appellant show good cause for the delayed filing. Reconsideration was denied.

{¶ 2} Appellant has appealed to this court.

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*Gregory A. White*, Lorain County Prosecuting Attorney, and *Lisa A. Locke Graves*, Assistant Prosecuting Attorney, for appellee.

*Joseph A. Charlton, pro se.*

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***Per Curiam.***

{¶ 3} The decision of the court of appeals is affirmed for the reasons stated in its opinion.

*Judgment affirmed.*

SUPREME COURT OF OHIO

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

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