

IN THE COURT OF APPEALS OF OHIO
TENTH APPELLATE DISTRICT

State of Ohio,	:	
Plaintiff-Appellee,	:	
v.	:	No. 15AP-188
Donovan E. Simpson,	:	(C.P.C. No. 00CR-5064)
Defendant-Appellant.	:	(ACCELERATED CALENDAR)

D E C I S I O N

Rendered on August 27, 2015

Ron O'Brien, Prosecuting Attorney, and *Steven L. Taylor*, for
appellee.

Donovan E. Simpson, pro se.

APPEAL from the Franklin County Court of Common Pleas

TYACK, J.

{¶ 1} Donovan E. Simpson is appealing from the trial court's overruling of his
"motion to reverse conviction." Since the trial court acted correctly, we affirm.

{¶ 2} Simpson alleges three errors in his briefs:

[I.] The prosecution violated *Brady v. Maryland* when they
failed to disclose exculpatory evidence in its possession.

[II.] Trial counsel was ineffective for failing to present a
defense, failing to request funds for a fire expert, failing to
object when the states fire investigator admit[ed] that they
had lost the physical evidence.

[III.] The trial court abused its discretion when it admitted
perjured testimony from the states witness.

{¶ 3} Simpson was convicted of numerous charges in 2001, including aggravated murder and attempted murder. Following an appeal, he was resentenced in 2003. *State v. Simpson*, 10th Dist. No. 01AP-757, 2002-Ohio-3717. In the ten plus years intervening, he has filed numerous motions and petitions for post-conviction relief. His most recent motion titled "motion to review convictions" can only be deemed a petition for post-conviction relief.

{¶ 4} The Ohio legislature has limited the time during which inmates can file petitions for post-conviction relief. *See* R.C. 2953.21.

{¶ 5} The time the legislature has allowed for such petition and for motions which must be deemed as such petitions, has long since passed for Donovan Simpson. His latest action is a time-barred and a successive post-conviction petition. The trial court was correct to deny Simpson relief.

{¶ 6} The assignments of error are overruled. The judgment of the trial court is affirmed.

Judgment affirmed.

KLATT and HORTON, JJ., concur.
