

**THE COURT OF APPEALS
ELEVENTH APPELLATE DISTRICT
LAKE COUNTY, OHIO**

STATE OF OHIO,	:	MEMORANDUM OPINION
Plaintiff-Appellee,	:	
- VS -	:	CASE NO. 2007-L-007
STEVEN R. LAO,	:	
Defendant-Appellant.	:	

Criminal Appeal from the Court of Common Pleas, Case No. 05 CR 000626.

Judgment: Appeal dismissed.

Charles E. Coulson, Lake County Prosecutor, 105 Main Street, P.O. Box 490, Painesville, OH 44077 (For Plaintiff-Appellee).

Steven R. Lao, pro se, PID: 512-053, Lake Erie Correctional Institution, P.O. Box 8000, Conneaut, OH 44030 (Defendant-Appellant).

MARY JANE TRAPP, J.,

{¶1} On January 18, 2007, appellant, Steven R. Lao, filed a pro se notice of appeal and motion for a delayed appeal, pursuant to App.R. 5(A), from his judgment of conviction and sentence issued by the trial court on August 8, 2006.

{¶2} App.R. 5(A) provides, in relevant part:

{¶3} “After the expiration of the thirty day period provided by App.R. 4(A) for the filing of a notice of appeal as of right, an appeal may be taken by a defendant with leave of the court to which the appeal is taken in the following classes of cases:

{¶4} “(a) Criminal proceedings;

{¶5} “(b) Delinquency proceedings; and

{¶6} “(2) A motion for leave to appeal shall be filed with the court of appeals and *shall set forth the reasons for the failure of the appellant to perfect an appeal as of right*. Concurrently with the filing of the motion, the movant shall file with the clerk of the trial court a notice of appeal in the form prescribed by App.R. 3 and shall file a copy of the notice of the appeal in the court of appeals.” (Emphasis added.)

{¶7} In his motion, Appellant indicates that he has attached a memorandum in support of his motion; however, no such memorandum has been filed. The motion does not advance any reasons for a delay in perfecting his appeal. One of the primary requirements under App.R. 5(A) is that reasons be provided in the motion for delayed appeal for the failure to file a timely appeal.

{¶8} Therefore, his motion is procedurally defective, and he has failed to invoke this Court’s jurisdiction. Accordingly, it is ordered that appellant’s motion for leave to file a delayed appeal is hereby overruled.

{¶9} Appeal dismissed.

DIANE V. GRENDELL, J.,

CYNTHIA WESTCOTT RICE, J.,

concur.