

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

STATE OF OHIO,	:	<b>MEMORANDUM OPINION</b>
Plaintiff-Appellee,	:	
- VS -	:	<b>CASE NO. 2015-L-108</b>
GARY E. DWYER, JR.,	:	
Defendant-Appellant.	:	

Criminal Appeal from the Lake County Court of Common Pleas, Case No. 00 CR 000150.

Judgment: Appeal dismissed.

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

*Mark A. Kaiser*, P.O. Box 632, Painesville, OH 44077 (Defendant-Appellant).

CYNTHIA WESTCOTT RICE, J.

{¶1} This matter is before us on the appeal filed by appellant, Gary E. Dwyer, Jr., of the August 19, 2015 judgment entered by the Lake County Court of Common Pleas denying his motion for reconsideration of the trial court's June 17, 2015 judgment denying his motion for limited driving privileges. As part of appellant's underlying sentence in 2000, the trial court imposed a lifetime driver's license suspension on him. For the reasons stated herein, the court's judgment denying appellant's motion for reconsideration is a nullity and this appeal is therefore dismissed.

{¶2} “[I] is well established that the filing of a motion for reconsideration from a final order in the trial court is a nullity.” *Koehler v. DeLuzia*, 11th Dist. Portage No. 2007-P-0011, 2007-Ohio-2167, ¶6, citing *Pitts v. Dept. of Transportation*, 67 Ohio St.2d 378, 381 (1981). Therefore, “all judgments or final orders from said motion are a nullity.” *Pitts* at 381. “Hence, there is no judgment that appellant can properly appeal from now.” *Koehler, supra*.

{¶3} The trial court’s June 17, 2015 order denying appellant’s motion for driving privileges is a final, appealable order under R.C. 2505.02(B)(4). *State v. Hollaender*, 9th Dist. Wayne Nos. 12CA0040, 13CA0006, 2014-Ohio-1782, ¶21. Therefore, the trial court’s August 19, 2015 judgment denying appellant’s motion for reconsideration is a nullity and cannot properly be appealed.

{¶4} Based upon the foregoing analysis, this appeal is hereby dismissed.

{¶5} Appeal dismissed.

TIMOTHY P. CANNON, P.J.,  
COLLEEN MARY O’TOOLE, J.,  
concur.