

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

STATE OF OHIO,	:	<b>MEMORANDUM OPINION</b>
Plaintiff-Appellee,	:	
- vs -	:	<b>CASE NOS. 2019-P-0011</b>
		<b>2019-P-0012</b>
ASHLEY M. BIKA,	:	
Defendant-Appellant.	:	

Criminal Appeals from the Portage County Court of Common Pleas,  
Case Nos. 2017 CR 00896 and 2017 CR 00371.

Judgment: Appeals dismissed.

*Victor V. Viglucci*, Portage County Prosecutor, 241 South Chestnut Street, Ravenna,  
OH 44266 (For Plaintiff-Appellee).

*Wesley C. Buchanan*, Buchanan Law, Inc., 195 South Main Street, Suite 202, Akron,  
OH 44308 (For Defendant-Appellant).

MATT LYNCH, J.

{¶1} On February 8, 2019, appellant, by and through counsel, filed a notice of appeal and motion for leave to file a delayed appeal pursuant to App.R. 5(A), seeking leave to appeal the trial court’s April 11, 2018 judgment entry.

{¶2} No brief or response in opposition to the motion has been filed.

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

{¶4} “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:

{¶5} “(a) Criminal proceedings;

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

{¶7} “(c) Serious youthful offender proceedings.

{¶8} “(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. \*\*\*.*” (Emphasis added.)

{¶9} Appellant’s motion does not set forth reasons for the delay in filing the appeals. Because the motion fails to meet the primary requirement in App.R. 5(A), it is procedurally defective and therefore overruled.

{¶10} Appeals dismissed.

CYNTHIA WESTCOTT RICE, J.,

TIMOTHY P. CANNON, J.,

concur.