

COURT OF APPEALS
MUSKINGUM COUNTY, OHIO
FIFTH APPELLATE DISTRICT

CHRISTOPHER HENDRICKS

Petitioner

-vs-

MATTHEW J. LUTZ, MUSKINGUM
COUNTY SHERIFF

Respondent

JUDGES:

Hon. William B. Hoffman, P. J.
Hon. Sheila G. Farmer, J.
Hon. John W. Wise, J.

Case No. CT2015-0032

O P I N I O N

CHARACTER OF PROCEEDING:

Petition for Writ of Habeas Corpus

JUDGMENT:

Dismissed

DATE OF JUDGMENT ENTRY:

December 14, 2015

APPEARANCES:

For Petitioner

GARRY A. SABOL
1530 Demorest Road
Columbus, Ohio 43228

For Respondent

GERALD ANDERSON
ASSISTANT PROSECUTOR
27 North 5th Street, Suite 201
Zanesville, Ohio 43702

Wise, J.

{¶1} Petitioner, Christopher Hendricks, has filed a Petition for Writ of Habeas Corpus alleging his detention is illegal due to an excessive bond.

{¶2} “What bail is or is not reasonable is a question for the exercise of sound discretion by the court. The decision is dependent upon all the facts and circumstances in each individual case. *Bland v. Holden* (1970), 21 Ohio St.2d 238, 257 N.E.2d 397 [50 O.O.2d 477].” *Petition of Gentry*, 7 Ohio App.3d 143, 145, 454 N.E.2d 987, 989–90 (1982).

{¶3} Petitioner outlines several reasons in support of lowering his bond including Ohio residency, ties to the community, and employment. Respondent has filed a return arguing the bond is justified in light of the offenses with which Petitioner is charged.

{¶4} We need not reach the issue of whether the trial court abused its discretion in setting the bond in this case because a review of the online docket reveals Petitioner has plead guilty and is awaiting sentencing.

{¶5} After a conviction “any error concerning the issue of pretrial bail is moot.” *State v. Drummond*, 111 Ohio St.3d 14, 2006–Ohio–5084, 854 N.E.2d 1038, ¶ 206, quoting *State v. Patterson*, 110 Ohio App.3d 264, 271, 673 N.E.2d 1001 (10th Dist .1996).

{¶6} Because Petitioner has been convicted, we find the petition is moot. The petition is therefore dismissed.

By: Wise, J.

Hoffman, P. J., and

Farmer, J., concur.

JWW/d 1120