

IN THE COURT OF APPEALS OF OHIO
SIXTH APPELLATE DISTRICT
ERIE COUNTY

State Ex Rel. Artie Grissom

Court of Appeals No. E-05-055

Petitioner

v.

Common Pleas Court of Erie County, Ohio
Judge Beverly K. McGookey

DECISION AND JUDGMENT ENTRY

Respondent

Decided: August 23, 2005

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Artie Grissom, pro se.

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PARISH, J.

{¶ 1} This matter is before this court on a petition for a writ of mandamus filed by petitioner, Artie Grissom, acting pro se, on July 20, 2005. Petitioner, who is currently incarcerated, states he filed a delayed petition for postconviction relief on July 15, 2004, which the trial court denied on August 23, 2004. Petitioner now asks this court to order respondent, Judge Beverly K. McGookey, to file findings of fact and conclusions of law, so he may appeal the trial court's judgment.

{¶ 2} Along with his petition for a writ of mandamus, petitioner has filed a certificate of service. However, petitioner has failed to file a praecipe, and the petition is not verified by affidavit as required by R.C. 2731.04. In addition, petitioner has not filed an affidavit describing each civil action or appeal of a civil action he had filed in the previous five years in any state or federal court, as required by R.C. 2969.25(A). Failure to comply with the mandatory requirements of R.C. 2969.25(A) renders the action subject to dismissal. See *State ex rel. Zanders v. Ohio Parole Bd.* (1998), 82 Ohio St.3d 421.

{¶ 3} Upon consideration, we hereby dismiss this action sua sponte, at petitioner's costs. It is so ordered.

PETITION DISMISSED.

Mark L. Pietrykowski, J.

JUDGE

William J. Skow, J.

JUDGE

Dennis M. Parish, J.
CONCUR.

JUDGE

<p>This decision is subject to further editing by the Supreme Court of Ohio's Reporter of Decisions. Parties interested in viewing the final reported version are advised to visit the Ohio Supreme Court's web site at: http://www.sconet.state.oh.us/rod/newpdf/?source=6.</p>
