

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

State of Ohio

Court of Appeals No. E-11-010

Appellee

Trial Court No. 1994-CR-108

v.

Larry Lugli

**DECISION AND JUDGMENT**

Appellant

Decided: September 30, 2011

\* \* \* \* \*

Kevin J. Baxter, Erie County Prosecuting Attorney, and  
Mary Ann Barylski, Assistant Prosecuting Attorney, for appellee.

K. Ronald Bailey, for appellant.

\* \* \* \* \*

HANDWORK, J.

{¶ 1} Appellant, Larry Lugli, appeals from a denial of a motion for resentencing that was entered by the Erie County Court of Common Pleas on January 21, 2011. Because appellant seeks to compel the trial court to correct a judgment entry that allegedly fails to comply with Crim.R. 32(C), and because appellant already filed a

motion in the trial court seeking the requested correction and that motion was denied, the proper remedy for appellant, in this court, is to file an action for mandamus. See *Jones v. Ansted*, 6th Dist. No. S-11-024, 2011-Ohio-3714, ¶ 5-7. Because appellant filed a direct appeal, rather than an action for mandamus, the appeal is appropriately dismissed.

{¶ 2} For the foregoing reasons, appellant's appeal is dismissed. Appellant is ordered to pay the costs of this appeal pursuant to App.R. 24.

APPEAL DISMISSED.

A certified copy of this entry shall constitute the mandate pursuant to App.R. 27. See, also, 6th Dist.Loc.App.R. 4.

Peter M. Handwork, J.

JUDGE

Arlene Singer, J.

JUDGE

Stephen A. Yarbrough, J.  
CONCUR.

JUDGE

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>.