

[Cite as *State v. Williams*, 2003-Ohio-1716.]

Please see the nunc pro tunc entry at 2003-Ohio-1822.

COURT OF APPEALS OF OHIO, EIGHTH DISTRICT
COUNTY OF CUYAHOGA
No. 47853

STATE OF OHIO,	:	
Plaintiff-Appellee	:	JOURNAL ENTRY
vs.	:	AND
LEWIS WILLIAMS, JR.,	:	OPINION
Defendant-Appellant	:	
	:	MARCH 31, 2003
DATE OF JOURNALIZATION	:	
CHARACTER OF PROCEEDING	:	APPLICATION FOR REOPENING Motion No. 346792 Lower Court No. CR-179814
JUDGMENT	:	APPLICATION DENIED

APPEARANCES:

For Plaintiff-Appellee:	WILLIAM D. MASON Cuyahoga County Prosecutor KAREN L. JOHNSON Justice Center - 8 th Floor 1200 Ontario Street Cleveland, Ohio 44113
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For Defendant-Appellant:	LEWIS WILLIAMS, JR., pro se Inmate No. A176-623 1150 N. Main Street P.O. Box 788
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Anne L. Kilbane, J:

{¶1} Lewis Williams, Jr., filed an application to reopen, for the second time, the judgment rendered in *State v. Williams* (Nov. 4, 1984), Cuyahoga App. No. 47853, that affirmed his convictions of aggravated murder with specifications and aggravated robbery, and his sentence of death. We deny his second application to reopen, sua sponte.

{¶2} There is no right to file successive applications for reopening under to App.R. 26(B),¹ and the doctrine of res judicata prohibits this court from considering Williams' second application because his new claim of ineffective assistance of appellate counsel was or could have been raised through his initial application for reopening.²

{¶3} Accordingly, Mr. Williams' second application for reopening is denied.

KENNETH A. ROCCO, A.J., AND

FRANK D. CELEBREZZE, JR., J., CONCUR

ANNE L. KILBANE
JUDGE

¹ *State v. Richardson* (1996), 74 Ohio St.3d 235, 658 N.E.2d 273; *State v. Cheren* (1995), 73 Ohio St.3d 137, 652 N.E.2d 707; *State v. Peebles* (1995), 73 Ohio St.3d 149, 652 N.E.2d 717; *State v. Sherrills* (Sept. 18, 1997), Cuyahoga App. No. 56777, reopening disallowed, (Mar. 6, 2001), Motion No. 24318.

² *State v. Phelps* (Sept. 30, 1996), Cuyahoga App. No. 69157, second reopening disallowed (Nov. 30, 1998), Motion No. 79992; *State v. Brantley* (June 29, 1992), Cuyahoga App. No. 62412, second reopening disallowed (May 22, 1996), Motion No. 72855.