

COURT OF APPEALS OF OHIO, EIGHTH DISTRICT
COUNTY OF CUYAHOGA
GERALD E. FUERST, CLERK OF COURTS

STATE OF OHIO,	:	COA NO.	LOWER COURT NO.
	:	47853	CR-179814
	:		
Plaintiff-Appellee	:		
	:		
-vs-	:		
	:		
LEWIS WILLIAMS, JR.,	:	COMMON PLEAS COURT	
	:	Motion No. 347808	
Defendant-Appellant	:		
	:		

DATE: APRIL 7, 2003

JOURNAL ENTRY

The Journal Entry and Opinion of this court released on March 31, 2003, 2003-Ohio-1716, contained an error on the cover page as follows:

"WILLIAM D. MASON
Cuyahoga County Prosecutor
KAREN L. JOHNSON
Justice Center - 8th Floor
1200 Ontario Street
Cleveland, Ohio 44113"

The error is hereby corrected to read:

"WILLIAM D. MASON
Cuyahoga County Prosecutor
JON W. OEBKER
Assistant County Prosecutor
Justice Center - 9th Floor
1200 Ontario Street
Cleveland, Ohio 44113"

It is hereby ordered that said Journal Entry and Opinion of March 31, 2003, be amended nunc pro tunc to correct the error on

[Cite as *State v. Williams*, 2003-Ohio-1822.]

the cover page.

It is further ordered that said Journal Entry and Opinion of March 31, 2003, shall stand in full force and effect in all its particulars.

The corrected entry is attached.

KENNETH A. ROCCO, A.J., And
FRANK D. CELEBREZZE JR., J., CONCUR

ANNE L. KILBANE
JUDGE

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

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	:	

[Cite as *State v. Williams*, 2003-Ohio-1822.]

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
JON W. OEBKER
Assistant County Prosecutor
Justice Center - 9th Floor
1200 Ontario Street
Cleveland, Ohio 44113

For Defendant-Appellant: LEWIS WILLIAMS, JR., pro se
Inmate No. A176-623
1150 N. Main Street
P.O. Box 788
Mansfield, Ohio 44901-078

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'

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. Peeples* (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.

[Cite as *State v. Williams*, 2003-Ohio-1822.]

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

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.