

[Cite as *State v. Steimle* , 2005-Ohio-3478.]

COURT OF APPEALS OF OHIO, EIGHTH DISTRICT

COUNTY OF CUYAHOGA

Nos. 77005, 77006, 77302 and 77303

STATE OF OHIO	:	
	:	JOURNAL ENTRY
Plaintiff-Appellee	:	AND
	:	OPINION
vs.	:	
	:	
CHRIST STEIMLE	:	
	:	
Defendant-Appellant	:	
	:	
	:	
DATE OF JOURNALIZATION	:	JUNE 30, 2005
	:	
CHARACTER OF PROCEEDINGS	:	Application for Reopening,
	:	Motion No. 373086
	:	Lower Court No. CR-378096 and
	:	CR-376138
	:	Common Pleas Court
	:	
JUDGMENT	:	APPLICATION DENIED.

APPEARANCES:

For plaintiff-appellee:	WILLIAM D. MASON Cuyahoga County Prosecutor BY: AMY VENESILE Assistant County Prosecutor Justice Center - 9 th Floor 1200 Ontario Street Cleveland, Ohio 44113
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For defendant-appellant:	CHRIST STEIMLE, pro se Inmate No. 377-586 Warren Corr. Inst. P. O. Box 120 Lebanon, Ohio 45036
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JUDGE DIANE KARPINSKI:

{¶ 1} Christ Steimle, through an application for reopening, is attempting to reopen the appellate judgment that was rendered by this court in *State v. Steimle* (Dec. 7, 2000), Cuyahoga App. Nos. 77005, 77006, 77302, and 77303, which affirmed his plea of guilty to the offenses of felonious assault and intimidation. Steimle argues that he was denied effective assistance of counsel upon appeal.

{¶ 2} An application for reopening, as filed pursuant to App.R. 26(B), must be based upon a claim of ineffective assistance of appellate counsel. See App.R. 26(B)(1). Steimle, however, represented himself on appeal to this court in *State v. Steimle*, supra. Therefore, he is precluded from arguing his own ineffective assistance of appellate counsel through the present application for reopening. *State v. Boone* (1996), 114 Ohio App.3d 275, 683 N.E.2d 67; *State v. Smith* (Nov. 29, 2001), Cuyahoga App. No. 79292, reopening disallowed (Mar. 8, 2002), Motion No. 36058; *State v. Bobo* (Jan. 16, 1996), Cuyahoga App. No. 60013, reopening disallowed (Apr. 10, 1996), Motion No. 69762.

{¶ 3} Accordingly, the application for reopening is denied.

DIANE KARPINSKI
JUDGE

ANN DYKE, P.J., CONCURS

JAMES J. SWEENEY, J., CONCURS

