

[Cite as *State v. Vild*, 2007-Ohio-5851.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 87742 and 87965

STATE OF OHIO

PLAINTIFF-APPELLEE

vs.

JOHN VILD

DEFENDANT-APPELLANT

JUDGMENT: APPLICATION DENIED

APPLICATION FOR REOPENING
MOTION NO. 396798, 396871 AND 401650
LOWER COURT NO. CR-318317 AND CR-319982
COMMON PLEAS COURT

RELEASE DATE: October 26, 2007

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JUDGE JAMES J. SWEENEY:

{¶ 1} John Vild has filed a timely application for reopening pursuant to App.R. 26(B). Vild is attempting to reopen the appellate judgment that was rendered in *State v. Vild*, Cuyahoga App. Nos. 87742 and 87965, 2007-Ohio-987, which vacated the trial court's granting of a successive motion to withdraw a plea of guilty.

{¶ 2} Vild's counsel has filed a motion to dismiss the application for reopening, which demonstrates that Vild has died. See App.R. 29(A).

{¶ 3} Vild's application for reopening has been abated by death. See *Cleveland v. Nayman* (April 24, 2000), Cuyahoga App. No. 76951, reopening disallowed (April 11, 2001), Motion No. 318974. Thus, a reopening of Vild's appeal is not appropriate.

{¶ 4} Application for reopening is denied.

JAMES J. SWEENEY, PRESIDING JUDGE

COLLEEN CONWAY COONEY, J., and
MARY J. BOYLE, J., CONCUR