

**IN THE COURT OF APPEALS OF OHIO
ELEVENTH APPELLATE DISTRICT
GEAUGA COUNTY**

STATE OF OHIO,

Plaintiff-Appellee,

- v -

JAMES E. PECSI,

Defendant-Appellant.

**CASE NOS. 2022-G-0006
2022-G-0010
2022-G-0011**

Criminal Appeals from the
Chardon Municipal Court

Trial Court Nos. 2020 CRB 00697
2020 CRB 00698
2020 CRB 00699

**MEMORANDUM
OPINION**

Decided: March 14, 2022
Judgment: Appeals dismissed

Dennis M. Coyne, Chardon Police Prosecutor, 1428 Hamilton Avenue, Cleveland, Ohio 44114 (For Plaintiff-Appellee).

Timothy J. Kucharski, Richardson & Kucharski Co., LPA, 1200 West Third Street, Suite 190, Cleveland, Ohio 44113 (For Defendant-Appellant).

THOMAS R. WRIGHT, P.J.

{¶1} On February 11, 2022, appellant, James E. Pecsí, through counsel, filed a notice of appeal from the trial court's January 10, 2022 sentencing entry and its January 11, 2022 entry overruling appellant's motion to dismiss on speedy trial court grounds.

{¶2} A timely notice to appeal the January 10th entry was due no later than February 9, 2022. A timely notice of appeal of the January 11th entry was due by February 10, 2022. Neither day was a holiday or weekend. Thus, the appeals are untimely.

{¶3} “* * * [A] party who wishes to appeal from an order that is final upon its entry shall file the notice of appeal required by App.R. 3 within 30 days of that entry.” App.R. 4(A)(1).

{¶4} “(1) After the expiration of the thirty day period provided by App.R. 4(A) for the filing of a notice of appeal as of right, an appeal may be taken by a defendant with leave of the court to which the appeal is taken in the following classes of cases:

{¶5} “(a) Criminal proceedings; * * *

{¶6} “(2) A motion for leave to appeal shall be filed with the court of appeals and shall set forth the reasons for the failure of the appellant to perfect an appeal as of right * * *.” App.R. 5(A).

{¶7} Appellant has neither complied with the thirty-day rule set forth in App.R. 4(A)(1) nor sought leave to appeal under App.R. 5(A). Thus, this court is without jurisdiction to consider his appeals. Appellant has a remedy of filing an untimely criminal appeal under App.R. 5(A).

{¶8} Appeals dismissed, sua sponte, as untimely.

MATT LYNCH, J.,

JOHN J. EKLUND, J.,

concur.