

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

STATE OF OHIO,

Plaintiff-Appellee,

- vs -

KAMERON C. OSCAR,

Defendant-Appellant.

CASE NO. 2023-L-015

Criminal Appeal from the
Court of Common Pleas

Trial Court No. 2022 CR 000958

MEMORANDUM
OPINION

Decided: March 13, 2023
Judgment: Appeal dismissed

Charles E. Coulson, Lake County Prosecutor, Lake County Administration Building, 105 Main Street, P.O. Box 490, Painesville, OH 44077 (For Plaintiff-Appellee).

Kameron C. Oscar, pro se, 142 Turner Drive, Chardon, OH 44024 (Defendant-Appellant).

MARY JANE TRAPP, J.

{¶1} On February 6, 2023, appellant, Kameron C. Oscar, pro se, filed a “Letter of Intent to Appeal Convictions,” construed as a notice of appeal. A review of the docket reflects that on October 31, 2022, after entering a plea of guilty, the trial court sentenced appellant to serve 127 days in Lake County Jail on count one, attempted menacing by stalking; and 67 days in Lake County Jail on count two, violating a protection order. The court further ordered that appellant may be released prior to serving 127 days in jail by entering N.E.O.C.A.P. and successfully completing the program.

{¶2} A timely notice of appeal from the October 31, 2022 entry was due no later than November 30, 2022, which was not a holiday or weekend. The appeal is untimely by over two months.

{¶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 appeal. Appellant has a remedy under App.R. 5(A) to file an untimely criminal appeal.

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

JOHN J. EKLUND, P.J.,

MATT LYNCH, J.,

concur.