

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

STATE OF OHIO,

Plaintiff-Appellee,

- vs -

LAMAR A. MITCHELL,

Defendant-Appellant.

CASE NO. 2026-T-0022

Criminal Appeal from the
Court of Common Pleas

Trial Court No. 2022 CR 00858

MEMORANDUM OPINION AND JUDGMENT ENTRY

Decided: May 11, 2026
Judgment: Appeal dismissed

Dennis Watkins, Trumbull County Prosecutor, Administration Building, Fourth Floor, 160 High Street, N.W., Warren, OH 44481 (For Plaintiff-Appellee).

Lamar A. Mitchell, pro se, PID# A801-192, Southeastern Correctional Institution, 5900 B.I.S. Road, Lancaster, OH 43130 (Defendant-Appellant).

MATT LYNCH, P.J.

{¶1} On March 20, 2026, appellant, Lamar A. Mitchell, filed a pro se notice of appeal from the Trumbull County Court of Common Pleas' February 17, 2026 judgment entry.

{¶2} “[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).

{¶3} App.R. 5(A)(1) states:

{¶4} “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} App.R. 5(A)(2) further provides that “[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.”

{¶7} A timely notice of appeal from the February 17, 2026 entry was due no later than March 19, 2026, which was not a holiday or weekend. The appeal is untimely by one day.

{¶8} 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 the appeal. Appellant has a remedy of filing an untimely criminal appeal under App.R. 5(A).

{¶9} Accordingly, this appeal is hereby dismissed, sua sponte, as untimely.

JOHN J. EKLUND, J.,

EUGENE A. LUCCI, J.,

concur.

JUDGMENT ENTRY

For the reasons stated in the memorandum opinion of this court, it is ordered that this appeal is hereby dismissed, sua sponte, as untimely.

Costs shall be taxed against appellant.

PRESIDING JUDGE MATT LYNCH

JUDGE JOHN J. EKLUND,
concur

JUDGE EUGENE A. LUCCI,
concur

THIS DOCUMENT CONSTITUTES A FINAL JUDGMENT ENTRY

A certified copy of this opinion and judgment entry shall constitute the mandate pursuant to Rule 27 of the Ohio Rules of Appellate Procedure.