[Cite as *State v. Weekly*, 2026-Ohio-4652.]

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

STATE OF OHIO, Plaintiff-Appellee, - vs - TERRY L. WEEKLY, Defendant-Appellant.	**CASE NO. 2026-T-0089** Criminal Appeal from the Court of Common Pleas Trial Court No. 2024 CR 00842

MEMORANDUM OPINION AND JUDGMENT ENTRY

Decided: November 23, 2026
Judgment: Appeal dismissed

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

Terry L. Weekly, pro se, PID# A820-966, Lake Erie Correctional Institution, P.O. Box 8000, 501 Thompson Road, Conneaut, OH 44030 (Defendant-Appellant).

ROBERT J. PATTON, J.

{¶1} On September 15, 2026, appellant filed a pro se notice of appeal and motion for leave to file a delayed appeal. Appellant seeks leave to appeal from the trial court's February 18, 2025 entry sentencing him to serve an aggregate term of 31 years to life in prison and five years of post-release control after he entered a plea of guilty to three counts of rape, a first-degree felony.

{¶2} A party who wishes to appeal from a final order shall file the notice of appeal within thirty days of that entry. App.R. 4(A)(1). A timely notice of appeal from the February

18, 2025 entry was due no later than March 20, 2025, which was not a holiday or a weekend. The appeal is untimely filed by approximately 18 months.

{¶3} Pursuant to App.R. 5(A)(1), "[a]fter the expiration of the 30-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 the permission of the court to which the appeal is taken in the following classes of cases: (a) Criminal proceedings . . ."

{¶4} App.R. 5(A)(2) further provides that "[a]ny motion for permission to appeal must be filed with the clerk of the court of appeals and must explain the reasons for the defendant's failure to comply with the rules for filing an appeal as of right."

{¶5} As reasons for the delay in filing his appeal, appellant states that he has minimal legal knowledge and researching skills, he has limited access to a word processor, and he was not appointed an attorney.

{¶6} This court has held that an appellant's reason for failing to file a timely appeal as of right must be valid and justify the length of time it took to initiate an appeal. *State v. Santos*, 2023-Ohio-4268, ¶ 10 (11th Dist.)

{¶7} Upon review of the trial court docket, it appears that appellant did not request appointed counsel until September 17, 2026.

{¶8} Given the length of time of nearly 18 months that has passed from the time the trial court issued its sentencing entry until the filing of his notice of appeal and motion for counsel, it is evident that appellant was not diligent in taking the proper steps to protect his rights.

{¶9} The reasons set forth in appellant's motion do not adequately justify the 18-month delay in initiating his appeal. Therefore, appellant's motion for leave to file a delayed appeal is hereby overruled, and the appeal is dismissed.

MATT LYNCH, P.J.,

EUGENE A. LUCCI, J.,

concur.

JUDGMENT ENTRY

For the reasons stated in the memorandum opinion of this court, appellant's motion for leave to file a delayed appeal is hereby overruled, and the appeal is dismissed.

Costs shall be taxed against appellant.

JUDGE ROBERT J. PATTON

PRESIDING JUDGE MATT LYNCH,
concurs

JUDGE EUGENE A. LUCCI,
concurs

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.