

IN THE SUPREME COURT OF OHIO

ORIGINAL

STATE OF OHIO
PLAINTIFF-APPELLEE,

CASE NO.

13-1691

VS.

MICHAEL R. WEESE
DEFENDANT-APPELLANT.

ON APPEAL FROM THE
CRAWFORD COUNTY COURT
OF APPEALS THIRD
APPELLATE DISTRICT.

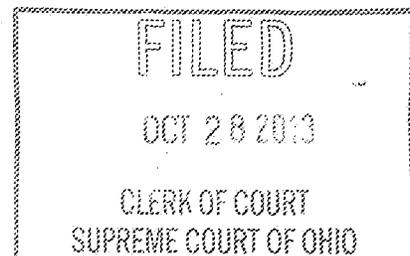
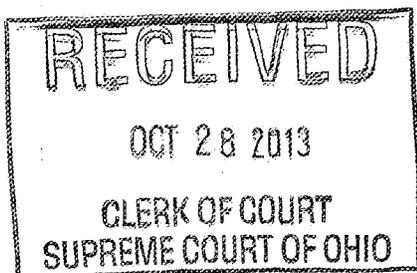
NOTICE OF APPEAL OF APPELLANT, MICHAEL R. WEESE

MICHAEL R. WEESE 583018
LORAIN CORRECTIONAL INST.
2075 S. AVON-BELDEN ROAD.
GRAFTON, OHIO 44044

DEFENDANT-APPELLANT, PRO-SE

CRAWFORD COUNTY PROSECUTOR
112 EAST MANSFIELD STREET
BUCYRUS, OHIO 44820

COUNSEL FOR APPELLEE, STATE OF OHIO



NOTICE OF APPEAL OF APPELLANT, MICHAEL R. WEESE

APPELLANT MICHAEL R. WEESE HEREBY GIVES NOTICE OF APPEAL TO THE SUPREME COURT OF OHIO FROM THE JUDGEMENT OF THE CRAWFORD COUNTY COURT OF APPEALS, THIRD APPELLATE DISTRICT, ENTERED IN COURT OF APPEALS CASE NO. 3-10-0013, ON SEPTEMBER 13, 2013.

THIS CASE RAISES A SUBSTANTIAL QUESTION, INVOLVES A FELONY, AND IS PUBLIC OR GREAT GENERAL INTEREST.

RESPECTFULLY SUBMITTED,

Michael R. Weese 583018

MICHAEL R. WEESE 583018
LORAIN CORRECTIONAL INST.
2075 S. AVON-BELDEN RD.
GRAFTON, OHIO 44044

DEFENDANT-APPELLANT, PRO-SE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT A COPY OF THE FOREGOING NOTICE OF APPEAL
WAS FORWARDED BY REGULAR U.S. MAIL TO THE CRAWFORD COUNTY
PROSECUTOR'S OFFICE AT 112 EAST MANSFIELD STREET BUCYRUS, OHIO
44820 ON THIS 23RD DAY OF OCTOBER, 2013.

Michael Weese
#593 018

Michael Weese

IN THE COURT OF APPEALS OF OHIO
THIRD APPELLATE DISTRICT
CRAWFORD COUNTY

FILED IN THE COURT OF APPEALS

SEP 13 2013

SHILA LESTER
CRAWFORD COUNTY CLERK

STATE OF OHIO,

PLAINTIFF-APPELLEE,

CASE NO. 3-10-13

v.

MICHAEL R. WEESE,

JUDGMENT
ENTRY

DEFENDANT-APPELLANT.

This cause comes before the Court on Appellant's "delayed application for reopening" direct appeal pursuant to App.R. 26(B), and Appellee's motion to dismiss.

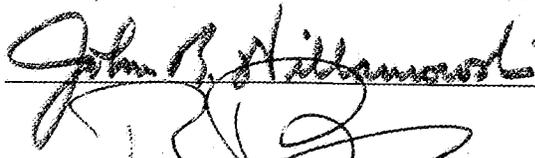
Upon consideration the Court finds that the Appellate judgment in this matter was filed on November 22, 2010. The August 26, 2013, application is not filed within ninety days of the appellate judgment, as required by App.R. 26(B)(1). Moreover, Appellant fails to show good cause for the application being filed untimely. See App.R. 26(B)(1) and 26(B)(2)(b).

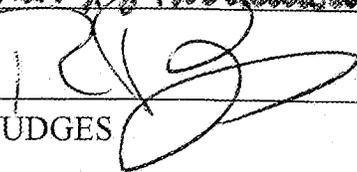
The Court further finds that the three additional assignments of error raised in the application do not set forth any genuine issue as to whether Appellant was deprived of the effective assistance of counsel on appeal. App.R. 26(B)(5). See *State v. Reed*, 74 Ohio St.3d 534 (1996), applying the analysis of *Strickland v. Washington*, 466 U.S. 668 (1984). Accordingly, for these reasons, the application should be denied.

Case No. 3-10-13

It is therefore **ORDERED** that Appellant's delayed application for reopening the direct appeal be, and the same hereby is, **DENIED** at the costs of the Appellant for which judgment is hereby rendered.







JUDGES

DATED: SEPTEMBER 12, 2013

/hlo