

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

STATE OF OHIO,	:	MEMORANDUM OPINION
Plaintiff-Appellee,	:	
- vs -	:	CASE NO. 2004-T-0070
EDWARD H. MASKO,	:	
Defendant-Appellant.	:	9/30/04

Criminal appeal from the Court of Common Pleas, Case No. 00 CR 077.

Judgment: Appeal dismissed.

Dennis Watkins, Trumbull County Prosecutor, Administration Building, Fourth Floor, 160 High Street, N.W., Warren, OH 44481-1092 (For Plaintiff-Appellee).

Donald R. Ford, Jr., 8501 East Market Street, Suite B, P.O. Box 8806, Warren, OH 44484 (For Defendant-Appellant).

WILLIAM M. O'NEILL, J.

{¶1} On June 18, 2004, appellant, Edward H. Masko, filed a notice of appeal from a May 20, 2004 judgment of the Trumbull County Court of Common Pleas. In that judgment, the trial court dismissed appellant's motion for judicial release as being premature.

{¶2} It is well-established that the denial of a motion for judicial release is not a final appealable order. *State v. Singh* (2001), 146 Ohio App.3d 38; *State v. Lawson*,

10th Dist. No. 02AP-148, 2002-Ohio-3329; *State v. Greene*, 2nd Dist. No. 02-CA-17, 2002-Ohio-2595.

{¶3} Accordingly, this appeal is hereby dismissed, sua sponte, due to lack of a final appealable order.

{¶4} Appeal dismissed.

JUDITH A. CHRISTLEY, J.,

CYNTHIA WESTCOTT RICE, J.,

concur.