

[Cite as *State v. Oliver*, 2016-Ohio-3016.]

STATE OF OHIO, MAHONING COUNTY

IN THE COURT OF APPEALS

SEVENTH DISTRICT

STATE OF OHIO)	
)	
PLAINTIFF-APPELLEE)	
)	
V.)	CASE NO. 15 MA 0097
)	
DWAYNE A. OLIVER)	OPINION
)	AND
DEFENDANT-APPELLANT)	JUDGMENT ENTRY

CHARACTER OF PROCEEDINGS: Motion for Reconsideration

JUDGMENT: Denied.

APPEARANCES:	
For Plaintiff-Appellee	Attorney Paul Gains Mahoning County Prosecutor Attorney Ralph Rivera Assistant Prosecutor 21 West Boardman Street, 6th Floor Youngstown, Ohio 44503
For Defendant-Appellant	Dwayne Oliver, Pro-Se Inmate No. 53486060 P.O. Box 10 Lisbon, Ohio 44432

JUDGES:

Hon. Mary DeGenaro
Hon. Gene Donofrio
Hon. Cheryl L. Waite

Dated: May 16, 2016

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PER CURIAM.

{¶1} On March 24, 2016, this Court denied Appellant Dwayne Oliver's first motion for reconsideration from his direct appeal as untimely. *State v. Oliver*, 7th Dist. 15 MA 97, 2016-Ohio-1250. On April 13, 2016, Oliver filed a "Motion to File Delayed Motion for Reconsideration Based on Good Cause" and a "Motion of Reconsideration of Opinion and Judgment Entered on March 24, 2016."

{¶2} "A motion for reconsideration can be entertained even though it was filed beyond the ten-day limitation provided for by the rule if the motion raises an issue of sufficient importance to warrant entertaining it beyond the ten-day limit." *State v. Dew*, 7th Dist. No. 08MA62, 2014-Ohio-4042, ¶ 7. Oliver contends that he mailed his motion to the clerk on January 7, 2016, but has no understanding as to how or why the clerk did not file it until January 19, 2016.

{¶3} Oliver contends that he has raised an issue of sufficient importance to justify entertaining his motion for reconsideration beyond the ten day time limit. However, a review of his motions demonstrate that he continues to argue the same assignments of error that he raised in his direct appeal. The purpose of reconsideration is not to reargue one's appeal based on dissatisfaction with the logic used and conclusions reached by an appellate court. *Victory White Metal Co. v. N.P. Motel Syst. Inc.*, 7th Dist. 04 MA 245, 2005-Ohio-3828, ¶ 2.

{¶4} Because Oliver has failed to meet the requisite time frame and failed to raise a sufficiently important issue, his delayed motion for reconsideration is hereby denied, as is his request for reconsideration of this Court's March 24, 2016 decision.

DeGenaro, J., concurs.

Donofrio, P. J., concurs.

Waite, J., concurs.