

[Cite as *Jones v. Reid*, 2010-Ohio-781.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 94472

STANLEY JONES

RELATOR

vs.

SHERIFF BOB REID, ET AL.

RESPONDENTS

**JUDGMENT:
PETITION DENIED**

Writ of Habeas Corpus
Motion No. 430597
Order No. 430752

RELEASE DATE: March 1, 2010

FOR RELATOR

Stanley Jones, pro se
Cuyahoga County Jail
P.O. Box 5600
Cleveland, Ohio 44101

ATTORNEYS FOR RESPONDENT

William D. Mason
Cuyahoga County Prosecutor

By: Katherine Mullin
Assistant County Prosecutor
8th Floor Justice Center
1200 Ontario Street
Cleveland, Ohio 44113

FRANK D. CELEBREZZE, JR., J.:

{¶ 1} Stanley Jones, the petitioner, has filed a petition for a writ of habeas corpus. Bob Reid, Cuyahoga County Sheriff, the respondent, has filed a motion for summary judgment, which we grant for the following reasons.

{¶ 2} Jones's petition for a writ of habeas corpus is procedurally defective for the following reasons:

{¶ 3} (1) petition fails to contain a sworn and notarized affidavit that complies with Loc.App.R. 45(B)(1)(a);

{¶ 4} (2) petition fails to contain a sworn and notarized affidavit of indigency;

{¶ 5} (3) petition fails to contain a statement that sets forth balance in inmate's account for the preceding six months and/or all of the cash and things of value owned by the inmate, as required by R.C. 2969.25;

{¶ 6} (4) petition fails to contain a sworn and notarized affidavit that describes each civil action or appeal filed within the previous five years in any state or federal court; and

{¶ 7} (5) petition fails to contain copies of all pertinent commitment papers as required by R.C. 2725.04(D).

{¶ 8} See *Tisdale v. Eberlin*, 114 Ohio St.3d 210, 2007-Ohio-3833, 870 N.E.2d 1191; *Chari v. Vore* (2001), 91 Ohio St.3d 323, 744 N.E.2d 763. See, also, *State ex rel. Leon v. Cuyahoga Cty. Court of Common Pleas*, 123 Ohio St.3d 124, 2009-Ohio-4688, 914 N.E.2d 402; *Martin v. Woods*, 121 Ohio St.3d 609, 2009-Ohio-1928, 906 N.E.2d 1113; *State ex rel. Davis*, Cuyahoga App. No. 90533, 2008-Ohio-584; *Morris v. Bureau of Sentence Computation*, Cuyahoga App. No. 89517, 2007-Ohio-1444; *State ex rel. McKay v. Corrigan*, Cuyahoga App. No. 88340, 2006-Ohio-4775; *Humphrey v. Ohio Water Parks, Inc.* (1994), 97 Ohio App.3d 403, 646 N.E.2d 908.

{¶ 9} It must also be noted that Jones possesses an adequate remedy at law through a direct appeal. R.C. 2937.222(D) provides that an order of the court of common pleas, that denies bail, is a final appealable order. *Coe v.*

McFaul, Cuyahoga App. No. 89749, 2007-Ohio-2104; *State v. Russell*, Cuyahoga App. No. 89639, 2007-Ohio-1589.

{¶ 10} Accordingly, we grant Sheriff Reid's motion for summary judgment. Costs to Jones. It is further ordered that the Clerk of the Eighth District Court of appeals serve notice of this judgment upon all parties as required by Civ.R. 58(B).

Petition denied.

FRANK D. CELEBREZZE, JR., JUDGE

SEAN C. GALLAGHER, A.J., and
CHRISTINE T. MCMONAGLE, J., CONCUR