

[Cite as *State v. Hall*, 2017-Ohio-4194.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 105831

STATE OF OHIO

RESPONDENT

vs.

MILTON HALL

PETITIONER

**JUDGMENT:
PETITION DISMISSED**

Writ of Habeas Corpus
Order No. 507468

RELEASE DATE: June 5, 2017

ATTORNEY FOR PETITIONER

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EILEEN A. GALLAGHER, P.J.:

{¶1} Milton Hall has filed a petition for a writ of habeas corpus based upon a claim of excessive bail. Sua sponte, we dismiss the petition.

{¶2} Hall failed to attach any commitment papers to his petition, a violation of R.C. 2725.04(D). The failure to attach any commitment papers is fatal to a petition for a writ of habeas corpus and requires dismissal of the petition. *State ex rel. Arroyo v. Sloan*, 142 Ohio St.3d 541, 2015-Ohio 2081, 33 N.E.3d 56; *State ex rel. McCuller v. Callahan*, 98 Ohio St.3d 307, 2003-Ohio-858, 784 N.E.2d 108; *State ex rel. Johnson v. Ohio Dept. of Rehab. & Corr.*, 95 Ohio St.3d 70, 765 N.E.2d 356 (2002).

{¶3} Additionally, Hall's petition does not comply with the mandatory requirements of R.C. 2725.04, which requires that the petition be verified. The failure of Hall to execute the required verification requires dismissal of the petition for a writ of habeas corpus. *Chari v. Vore*, 91 Ohio St.3d 323, 744 N.E.2d 763 (2001). *See also Watkins v. Collins*, 111 Ohio St.3d 425, 2006-Ohio-5082, 857 N.E.2d 78; *State ex rel. McCuller, supra*; *Phillips v. Irwin*, 96 Ohio St.3d 350, 2002-Ohio-4758, 774 N.E.2d 1218.

{¶4} Accordingly, we sua sponte dismiss Hall's petition for a writ of habeas corpus. Costs to Hall. The court directs the clerk of courts to serve all parties with notice of this judgment and the date of entry upon the journal as required by Civ.R. 58(B).

{¶5} Petition dismissed.

EILEEN A. GALLAGHER, PRESIDING JUDGE

EILEEN T. GALLAGHER, J., and
FRANK D. CELEBREZZE, JR., J., CONCUR