

IN THE COURT OF APPEALS OF OHIO

SEVENTH APPELLATE DISTRICT
COLUMBIANA COUNTY

STATE OF OHIO,

Plaintiff-Appellee,

v.

KHALIS COLLINS,

Defendant-Appellant.

OPINION AND JUDGMENT ENTRY
Case No. 18 CO 0012

Application to Reopen

BEFORE:

Gene Donofrio, Carol Ann Robb, David A. D'Apolito, Judges.

JUDGMENT:

Denied

Atty. Robert Herron, Prosecutor, *Atty. Alec Beech*, Assistant Prosecutor, Columbiana County Prosecutor's Office, Columbiana County Courthouse, 105 South Market Street, Lisbon, Ohio 44432 for Plaintiff-Appellee and

Atty. Timothy Young, Ohio Public Defender, *Atty. Jeremy Masters*, Assistant Public Defender, Office of the Ohio Public Defender, The Midland Building, 250 East Broad Street, Suite 1400, Columbus, Ohio 43215, for Defendant-Appellant.

April 15, 2020

PER CURIAM.

{¶1} Defendant-appellant, Khalis Collins, has filed an application for reopening of his direct appeal from his convictions for tampering with evidence, obstructing official business, possession of drugs, and complicity to illegal conveyance of drugs onto the grounds of a detention facility. *State v. Collins*, 7th Dist. Columbiana No. 18 CO 0012, 2019-Ohio-2407, appeal not allowed, 157 Ohio St.3d 1429, 2019-Ohio-4003, 131 N.E.3d 971. For the following reason, the application is denied.

{¶2} An application to reopen an appeal must be filed “within ninety days from journalization of the appellate judgment unless the applicant shows good cause for filing at a later time.” App.R. 26(B).

{¶3} Our judgment in this case was filed on June 14, 2019. Appellant filed this application on February 3, 2020, over four-and-a-half months past the deadline. Thus, the application is untimely.

{¶4} If the application is filed more than ninety days after journalization of the appellate judgment, then it must contain “[a] showing of good cause for untimely filing in the application.” App.R. 26(B)(2)(b).

{¶5} Appellant has not asserted any cause for his late filing, let alone “good cause” as is required by the Appellate Rule.

{¶6} For the above reasons, appellant’s application to reopen his appeal is hereby denied.

JUDGE GENE DONOFRIO

JUDGE CAROL ANN ROBB

JUDGE DAVID A. D'APOLITO

NOTICE TO COUNSEL

This document constitutes a final judgment entry.