

**IN THE COURT OF APPEALS  
ELEVENTH APPELLATE DISTRICT  
LAKE COUNTY, OHIO**

STATE OF OHIO ex rel. JOSEPH A. SANDS,	:	<b>MEMORANDUM OPINION</b>
	:	
Relator,	:	<b>CASE NO. 2018-L-129</b>
	:	
- vs -	:	
	:	
LAKE COUNTY COMMON PLEAS COURT, JUDGE VINCENT A. CULOTTA, et al.,	:	
	:	
Respondents.	:	

Original Action for Writ of Mandamus.

Judgment: Petition dismissed.

*Joseph A. Sands*, pro se, PID: A664-601, Marion Correctional Institution, P.O. Box 57, 940 Marion-Williamsport Road, Marion, OH 43301 (Relator).

*Charles E. Coulson*, Lake County Prosecutor, and *Michael DeLeone*, Assistant Prosecutor, Lake County Administration Building, 105 Main Street, P.O. Box 490, Painesville, OH 44077 (For Respondents).

COLLEEN MARY O'TOOLE, J..

{¶1} Relator, Joseph A. Sands, petitions this court to issue a writ of mandamus directed to respondents, the Honorable Vincent A. Culotta, Judge of the Lake County Court of Common Pleas, and Charles E. Coulson, Lake County Prosecuting Attorney. Judge Culotta presided at the trial of relator, where a jury convicted him of plotting to murder the judge of the Painesville Municipal Court, and various officials of the Village of

North Perry, Ohio. Relator is serving a lengthy prison term. Relator evidently contends that respondent Culotta did not properly merge various of his convictions at sentencing. Respondents have moved to dismiss, or for summary judgment. Relator has filed a reply brief.

{¶2} Relator has raised this argument many, many times before, and we have always found it lacks merit. We have told relator that it is substantively untrue, and that having been raised before, is barred by res judicata. It remains substantively untrue, and barred by res judicata.

{¶3} The motion to dismiss, or for summary judgment, is granted. All pending motions are hereby overruled.

THOMAS R. WRIGHT, P.J., concurs,

DIANE V. GRENDALL, J., concurs in judgment only.