

[Cite as *State ex rel. Carpenter v. Maschari, Judge, 2003-Ohio-3093.*]

IN THE COURT OF APPEALS OF OHIO
SIXTH APPELLATE DISTRICT
ERIE COUNTY

State of Ohio, ex rel.
Michael Carpenter

Court of Appeals No. E-03-029

Relator

v.

Judge Ann B. Maschari,
Erie County Common Pleas Court

DECISION AND JUDGMENT ENTRY

Respondent

Decided: June 9, 2003

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Michael Carpenter, pro se.

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PIETRYKOWSKI, J.

{¶1} This matter is before us on relator Michael Carpenter's petition for a writ of procedendo ordering respondent, Judge Ann B. Maschari, to proceed to final judgment on relator's petition for postconviction relief.

{¶2} Pursuant to 6th Dist.Loc.App.R. 6, a relator shall "**** file a praecipe directing the clerk of the court of appeals to serve a copy of the complaint on each other party at the addresses listed in the praecipe." The record before us reveals that relator did not file a praecipe along with his petition. Accordingly, respondent has not been properly served by the clerk with a copy of the petition.

{¶3} For this reason, we find the petition for a writ of procedendo not well-taken and denied. This cause is dismissed at relator's costs.

PETITION DENIED.

Richard W. Knepper, J.

JUDGE

Mark L. Pietrykowski, J.

JUDGE

Arlene Singer, J.
CONCUR.

JUDGE