

1 The State of Ohio, Appellee, v. Mosley, Appellant.

2 [Cite as *State v. Mosley* (1996), \_\_\_\_\_ Ohio St.3d \_\_\_\_\_.]

3 *Appellate procedure -- Application for reopening appeal from*  
4 *judgment and conviction based on claim of ineffective*  
5 *assistance of appellate counsel -- Application denied when*  
6 *applicant's claims are not well taken.*

7 (No. 95-2589 -- Submitted February 20, 1996 -- Decided April 17,  
8 1996.)

9 Appeal from the Court of Appeals for Franklin County, No.  
10 94APA12-1707.

11 Appellant, Mark H. Mosley, was convicted of felonious assault on  
12 November 9, 1994 and was sentenced to a term of imprisonment. Upon  
13 appeal, the conviction was affirmed. *State v. Mosley* (July 13, 1995),  
14 Franklin App. No. 94APA12-1707, unreported, 1995 WL 422647.  
15 Appellant's appeal to this court was later dismissed. *State v. Mosley*,  
16 (1995), 74 Ohio St.3d 1475, 657 N.E.2d 788.

17 Meanwhile, appellant timely filed an application for reopening before  
18 the court of appeals pursuant to App. R.26(B), alleging ineffective  
19 assistance of appellate counsel. The court of appeals denied the application,

1 finding that appellant's claims of ineffective assistance of counsel were not  
2 well taken. Appellant appeals that denial to this court.

3 *Michael Miller*, Franklin County Prosecuting Attorney, and *Joyce S.*  
4 *Anderson*, Assistant Prosecuting Attorney, for appellee.

5 *Mark H. Mosley, pro se.*

6 *Per Curiam.* We affirm the decision of the court of appeals for the  
7 reasons stated in its memorandum decision.

8 *Judgment affirmed.*

9 MOYER, C.J., DOUGLAS, RESNICK, F.E. SWEENEY, PFEIFER and COOK,  
10 JJ., concur.

11 WRIGHT, J., not participating.