

The State of Ohio, Appellee, v. Patterson, Appellant.

[Cite as State v. Patterson (1996), Ohio St.3d .]

*Appellate procedure -- Application for reopening appeal from judgment and conviction based on claim of ineffective assistance of appellate counsel -- Application denied when applicant fails to show good cause for failing to file his application within ninety days after journalization of the appellate judgment.*

(No. 95-2339--Submitted February 20, 1996--Decided April 10, 1996.)

APPEAL from the Court of Appeals for Lucas County, No. L-84-328.

In 1984, appellant, Larry Patterson, was convicted of aggravated murder and sentenced to imprisonment. The court of appeals affirmed the conviction. *State v. Patterson* (Apr. 26, 1985), Lucas App. No. L-84-328, unreported, 1985 WL 7109.

In September 1995, Patterson filed with the court of appeals an application to reopen his appeal under App.R. 26(B), alleging ineffective assistance of his appellate counsel. In October 1995, the court of appeals denied the application, finding that appellant had failed to show good cause

for filing his application more than ten years after the original judgment on appeal. Appellant appeals the denial to this court.

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*Anthony G. Pizza*, Lucas County Prosecuting Attorney, and *Craig T.*

*Pearson*, Assistant Prosecuting Attorney, for appellee.

*Larry Patterson, pro se.*

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*Per Curiam.* We affirm the decision of the court of appeals for the reason stated in its decision.

*Judgment affirmed.*

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

WRIGHT, J., not participating.