

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

2 [Cite as *State v. Way* (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 fails to establish good cause for failing to file within*
7 *ninety days after journalization of the court of appeals'*
8 *decision affirming the conviction, as required by App.R. 26(B).*
9 (No. 95-854--Submitted September 12, 1995--Decided January 10,

10 1996.)

11 Appeal from the Court of Appeals for Hamilton County, No. C-
12 950134.

13 Appellant, Chief T. C. Way, was convicted of aggravated robbery,
14 felonious assault, and having a weapon while under disability in May 1988.
15 His convictions were affirmed on appeal on June 28, 1989. *State v. Way*,
16 Hamilton App. No. C-880373, unreported. Subsequently, in July 1988,
17 appellant was convicted of aggravated robbery with specifications and theft
18 with a prior theft conviction. His convictions were affirmed on appeal on
19 January 10, 1990. *State v. Way*, Hamilton App. No. C-0880505, unreported.

