

DURAIN, APPELLANT, v. SHELDON, WARDEN, APPELLEE.

[Cite as *Durain v. Sheldon*, 122 Ohio St.3d 582, 2009-Ohio-4082.]

Habeas corpus — Petition denied — One term of postrelease control for multiple convictions is proper — Claim that sentencing entry violated Crim.R. 32 does not entitle petitioner to immediate release from prison pursuant to writ of habeas corpus.

(No. 2009-0424 — Submitted August 11, 2009 — Decided August 19, 2009.)

APPEAL from the Court of Appeals for Marion County, No. 9-08-64.

Per Curiam.

{¶ 1} We affirm the judgment of the court of appeals dismissing the petition for a writ of habeas corpus of appellant, Robert Durain. “If an offender is subject to more than one period of post-release control, the period of post-release control for all of the sentences shall be the period of post-release control that expires last, as determined by the parole board or court. Periods of post-release control shall be served concurrently and shall not be imposed consecutively to each other.” R.C. 2967.28(F)(4)(c). In addition, insofar as Durain claims that his sentencing entry violated Crim.R. 32, which would render it nonappealable, his remedy is not immediate release from prison pursuant to a writ of habeas corpus. See *Dunn v. Smith*, 119 Ohio St.3d 364, 2008-Ohio-4565, 894 N.E.2d 312, ¶ 10.

Judgment affirmed.

MOYER, C.J., and PFEIFER, LUNDBERG STRATTON, O’CONNOR, O’DONNELL, LANZINGER, and CUPP, JJ., concur.

Robert Durain, pro se.

SUPREME COURT OF OHIO

Richard Cordray, Attorney General, and M. Scott Criss, Assistant
Attorney General, for appellee.
