

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *Hughley v. Saunders*, Slip Opinion No. 2009-Ohio-5585.]

NOTICE

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**SLIP OPINION NO. 2009-OHIO-5585**

**HUGHLEY, APPELLANT, v. SAUNDERS, WARDEN, APPELLEE.**

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*Habeas corpus — Adequate remedy exists for raising claim of sentencing error — Court of appeals' dismissal of petition affirmed.*

(No. 2009-1228 — Submitted October 20, 2009 — Decided October 28, 2009.)

APPEAL from the Court of Appeals for Fairfield County, No. 09-CA-18,  
2009-Ohio-4912.

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**Per Curiam.**

{¶ 1} We affirm the judgment of the court of appeals denying the petition of appellant, Kevin Hughley, for a writ of habeas corpus. Hughley had an adequate remedy by appeal to raise any error by the trial court in calculating his jail-time credit. *State ex rel. Rudolph v. Horton*, 119 Ohio St.3d 350, 2008-Ohio-4476, 894 N.E.2d 49, ¶ 3. Moreover, because he attacks only one of his sentences, he is not entitled to the writ. “ ‘Where a petitioner is incarcerated for several crimes, the fact that the sentencing court may have lacked jurisdiction to

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sentence him on one of the crimes does not warrant his release in habeas corpus.”  
*Keith v. Bobby*, 117 Ohio St.3d 470, 2008-Ohio-1443, 884 N.E.2d 1067, ¶ 13,  
quoting *Swiger v. Seidner* (1996), 74 Ohio St.3d 685, 687, 660 N.E.2d 1214.

Judgment affirmed.

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

PFEIFER, J., concurs in judgment only.

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Kevin Hughley, pro se.

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

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