

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State ex rel. Chattams v. Pater*, Slip Opinion No. 2012-Ohio-55.]

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**SLIP OPINION NO. 2012-OHIO-55**

**THE STATE EX REL. CHATTAMS, APPELLANT, v. PATER, JUDGE, APPELLEE.**

**[Until this opinion appears in the Ohio Official Reports advance sheets,**

**it may be cited as *State ex rel. Chattams v. Pater*,**

**Slip Opinion No. 2012-Ohio-55.]**

*Court of appeals' judgment denying injunctive relief affirmed—Courts of appeals lack original jurisdiction in prohibitory injunction.*

(No. 2011-1317—Submitted January 3, 2012—Decided January 12, 2012.)

APPEAL from the Court of Appeals for Butler County, No. CA2010-07-183.

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**Per Curiam.**

{¶ 1} We affirm the judgment of the court of appeals denying the request of appellant, D'Anthony Chattams, for immediate injunctive relief stopping the further execution of his prison term, in the context of his mandamus case against appellee, Butler County Court of Common Pleas Judge Charles Pater. Courts of appeals lack original jurisdiction in prohibitory injunction. *State ex rel. Esarco v. Youngstown City Council*, 116 Ohio St.3d 131, 2007-Ohio-5699, 876 N.E.2d 953, ¶ 11. Moreover, habeas corpus, and not mandamus, is the appropriate action to

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seek release from prison. *State ex rel. Briscoe v. Matia*, 128 Ohio St.3d 365, 2011-Ohio-760, 944 N.E.2d 677, ¶ 10.

Judgment affirmed.

O'CONNOR, C.J., and PFEIFER, LUNDBERG STRATTON, O'DONNELL, LANZINGER, CUPP, and MCGEE BROWN, JJ., concur.

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D'Anthony Chattams, pro se.

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