



{¶3} We adopt the magistrate's decision in its entirety and dismiss the case.

*Case dismissed.*

BRYANT and BROWN, JJ., concur.

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{¶7} 2. In her petition, petitioner states that she is seeking release from incarceration at the Crawford County Jail.

{¶8} 3. On January 4, 2007, the Sheriff of Crawford County, Ohio, filed a motion to dismiss. In the memorandum in support of the motion, the sheriff states that the petitioner is confined at the Crawford County Jail on a failure to appear warrant issued by the Crawford County Municipal Court.

{¶9} 4. On January 18, 2007, petitioner filed a memorandum contra to the motion to dismiss. On that same date, petitioner also filed a supplemental memorandum contra to the motion to dismiss.

{¶10} 5. Also on January 18, 2007, petitioner filed a document captioned "Motion for Procedural Order [and] Request for Court Appointed Counsel." In the motion, petitioner requests that this court appoint counsel to represent her in this original action.

Conclusions of Law:

{¶11} It is the magistrate's decision that this court grant respondent's motion to dismiss and that petitioner's motion for appointment of counsel be denied.

{¶12} R.C. 2725.03 states:

If a person restrained of his liberty is an inmate of a state benevolent or correctional institution, the location of which is fixed by statute and at the time is in the custody of the officers of the institution, no court or judge other than the courts or judges of the county in which the institution is located has jurisdiction to issue or determine a writ of habeas corpus for his production or discharge. Any writ issued by a court or judge of another county to an officer or person in charge at the state institution to compel the production or discharge of an inmate thereof is void.

{¶13} It is clear from the petition that petitioner is restrained of her liberty at the Crawford County Jail. Because petitioner is not confined at an institution or location in Franklin County, Ohio, this court lacks jurisdiction over this habeas corpus action. *Bridges v. McMackin* (1989), 44 Ohio St.3d 135.

{¶14} Accordingly, it is the magistrate's decision that this court grant respondent's motion to dismiss. It is also the magistrate's decision that this court deny petitioner's motion for appointment of counsel.

/s/Kenneth W. Macke  
KENNETH W. MACKE  
MAGISTRATE

#### **NOTICE TO THE PARTIES**

Civ.R. 53(D)(3)(a)(iii) provides that a party shall not assign as error on appeal the court's adoption of any factual finding or legal conclusion, whether or not specifically designated as a finding of fact or conclusion of law under Civ.R. 53(D)(3)(a)(ii), unless the party timely and specifically objects to that factual finding or legal conclusion as required by Civ.R. 53(D)(3)(b).