

**THE STATE EX REL. ANDREWS, APPELLANT, v. CHARDON POLICE  
DEPARTMENT ET AL., APPELLEES.**

**[Cite as *State ex rel. Andrews v. Chardon Police Dept.*, 137 Ohio St.3d 468,  
2013-Ohio-4772.]**

*Mandamus—Failure to timely appeal judgment denying writ—Judgment denying  
writ affirmed.*

(No. 2013-0816—Submitted August 20, 2013—Decided November 7, 2013.)

APPEAL from the Court of Appeals for Geauga County, No. 2012-G-3074,  
2013-Ohio-338.

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**Per Curiam.**

{¶ 1} We affirm the Eleventh District Court of Appeals’ decision denying Andrews’s request for reconsideration of a judgment rendered in a public-records mandamus case.

{¶ 2} Insofar as Andrews challenges the Eleventh District Court of Appeals’ February 4, 2013 judgment denying his petition for a writ of mandamus, he failed to file a timely appeal from that judgment. S.Ct.Prac.R. 6.01(A)(1). The motion for reconsideration that Andrews filed in the court of appeals did not extend his time to appeal that court’s judgment. *State ex rel. Manuel v. Stenson*, 126 Ohio St.3d 52, 2010-Ohio-2673, 930 N.E.2d 310, ¶ 1. Andrews cannot use an appeal from a denial of his motion for reconsideration as a substitute for a timely appeal from the judgment. *Id.*

{¶ 3} Insofar as Andrews appeals the court of appeals’ denial of his motion for reconsideration, that court lacked jurisdiction to consider a motion for reconsideration and thus correctly denied the motion. A request for reconsideration of a judgment rendered by an appellate court in an original action

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is a nullity because App.R. 26(A) is inapplicable. *Phillips v. Irwin*, 96 Ohio St.3d 350, 2002-Ohio-4758, 774 N.E.2d 1218, ¶ 5. Because the Eleventh District lacked jurisdiction over his motion (and thus correctly denied it), we affirm. We also dismiss appellees' motion to dismiss as moot.

{¶ 4} Based on the foregoing, we affirm.

Judgment affirmed.

O'CONNOR, C.J., and PFEIFER, O'DONNELL, LANZINGER, KENNEDY, FRENCH, and O'NEILL, JJ., concur.

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John Mark Andrews, pro se.

James R. Flaiz, Geauga County Prosecuting Attorney, and Bridey Matheney, Assistant Prosecuting Attorney; and James M. Gillette, Chardon Law Director and Police Prosecuting Attorney, for appellees.

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