

1 The State of Ohio, Appellee, v. Blankenship, Appellant.

2 [Cite as State v. Blankenship (1996), Ohio St.3d .]

3 *Appellate procedure -- Application for reopening appeal from*
4 *judgment and conviction based on claim of ineffective*
5 *assistance of appellate counsel -- Application denied when no*
6 *genuine issue whether applicant was deprived of effective*
7 *assistance of appellate counsel is present.*

8 (No. 95-1923--Submitted November 14, 1995-- Decided February 14,
9 1996.)

10 Appeal from the Court of Appeals for Butler County, No. CA94-05-

11 118.

12 Appellant, Darryl J. Blankenship, was convicted of three counts of
13 having weapons while under disability in violation of R.C. 2923.13, with
14 specifications under R.C. 2929.71. The court of appeals affirmed. *State v.*
15 *Blankenship* (1995), 102 Ohio App.3d 534, 657 N.E.2d 559, appeal denied,
16 73 Ohio St.3d 1426, 652 N.E.2d 799.

17 In June 1995, appellant filed with the court of appeals an application
18 to reopen his appeal under App.R. 26(B), alleging ineffective assistance of
19 his appellate counsel. The court of appeals denied the application, finding

1 “no genuine issue as to whether appellant was deprived of the effective
2 assistance of counsel on appeal.”

3 Appellant appeals the denial to this court.

4 *John F. Holcomb*, Butler County Prosecuting Attorney, and *Richard*

5 *A. Hyde*, Assistant Prosecuting Attorney, for appellee.

6 *Darryl J. Blankenship*, *pro se*.

7 *Per Curiam*. We affirm the court of appeals for the reasons stated in
8 its entry.

9 *Judgment affirmed.*

10 MOYER, C.J., DOUGLAS, WRIGHT, RESNICK, F.E. SWEENEY, PFEIFER
11 and COOK, JJ., concur.

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