

[Cite as *State ex rel. Johnson v. Pineda*, 126 Ohio St.3d 480, 2010-Ohio-4387.]

THE STATE EX REL. JOHNSON, APPELLANT, v. PINEDA, WARDEN, APPELLEE.

[Cite as *State ex rel. Johnson v. Pineda*, 126 Ohio St.3d 480, 2010-Ohio-4387.]

Criminal procedure — Habeas corpus petition dismissed on basis of res judicata.

(No. 2010-1116 — Submitted September 15, 2010 — Decided
September 22, 2010.)

APPEAL from the Court of Appeals for Hocking County, No. 10CA1.

Per Curiam.

{¶ 1} We affirm the judgment of the court of appeals dismissing the petition of appellant, John A. Johnson, for a writ of habeas corpus. Res judicata bars Johnson from filing a successive habeas corpus petition insofar as he raises claims that he either raised or could have raised in his previous petitions. *Keith v. Kelley*, 125 Ohio St.3d 161, 2010-Ohio-1807, 926 N.E.2d 646, ¶ 1; *State ex rel. Johnson v. Hudson*, 118 Ohio St.3d 308, 2008-Ohio-2451, 888 N.E.2d 1090; *Johnson v. Mitchell* (1999), 85 Ohio St.3d 123, 707 N.E.2d 471. Res judicata “is applicable to successive habeas corpus petitions because habeas corpus petitioners have the right to appeal adverse judgments in habeas corpus cases.” *State ex rel. Childs v. Lazaroff* (2001), 90 Ohio St.3d 519, 520, 739 N.E.2d 802; see generally *McCleskey v. Zant* (1991), 499 U.S. 467, 479-489, 111 S.Ct. 1454, 113 L.Ed.2d 517.

Judgment affirmed.

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

John A. Johnson, pro se.

SUPREME COURT OF OHIO

Richard Cordray, Attorney General, and Diane Mallory, Assistant
Attorney General, for appellee.
