

IN THE COURT OF APPEALS OF OHIO  
SIXTH APPELLATE DISTRICT  
LUCAS COUNTY

State of Ohio

Court of Appeals No. L-11-1245

Appellee

Trial Court No. CR0201001928

v.

Jeffrey Ronald Fastnacht

**DECISION AND JUDGMENT**

Appellant

Decided: October 25, 2011

\* \* \* \* \*

Mollie B. Hojnicky, for appellant.

\* \* \* \* \*

PER CURIAM.

{¶ 1} Appellant, Jeffrey Fastnacht, has filed a motion to stay execution of sentence pursuant to App.R. 8(B), pending appeal of his convictions of felonious assault, a felony of the first degree, and failure to comply with the signal or order of a police officer, a felony of the third degree. Appellant is presently incarcerated in the Correctional Reception Center in Orient, Ohio pursuant to his sentence for the offenses. The trial

court sentenced appellant to serve prison terms of three years on the felonious assault conviction and one year on the conviction for failure to comply. The trial court ordered the sentences to be served consecutively.

{¶ 2} The requirements for a motion to stay execution of sentence pending appeal of a conviction are set forth in the local rules of this court. 6th Dist.Loc.App.R. 17 provides:

{¶ 3} "Rule 17 Bail and suspension of execution of sentence in criminal cases

{¶ 4} "When a party files an application for release on bail and suspension of execution of sentence pursuant to App.R. 8(B), a memorandum in support shall be filed with the application in this court. The party's memorandum shall contain, but is not limited to, the following information, which shall be supported by the papers, affidavits, and portions of the record referred to in App.R. 8(B): (1) confirmation that the motion for release on bail was denied by the trial court, (2) a statement of the offense for which the party was found guilty and the sentence imposed by the trial court, (3) a listing of the party's prior convictions, if any, and if there are none, a statement to that effect, (4) a listing of current charges pending against the party, and if there are none, a statement to that effect, (5) a statement as to whether the party is currently employed, the name of the party's employer and for how long the party has been employed, (6) a statement of the amount of bail the party is requesting and in what manner the bail will be secured, and (7) a statement of defendant's family or other community ties. Failure to comply with this rule may result in the automatic denial of the application." 6th Dist.Loc.App.R. 17.

{¶ 5} Appellant failed to comply with requirements numbered (1), (3), (4), (5), (6) and (7) of the rule in his motion to stay execution of sentence pending appeal.

Accordingly, we deny the motion. This ruling does not preclude appellant from refiling the motion in a manner that complies with the requirements of 6th Dist.Loc.App.R. 17.

{¶ 6} It is so ordered.

MOTION DENIED.

Peter M. Handwork, J.

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JUDGE

Mark L. Pietrykowski, J.

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JUDGE

Thomas J. Osowik, P.J.  
CONCUR.

\_\_\_\_\_  
JUDGE

This decision is subject to further editing by the Supreme Court of Ohio's Reporter of Decisions. Parties interested in viewing the final reported version are advised to visit the Ohio Supreme Court's web site at:  
<http://www.sconet.state.oh.us/rod/newpdf/?source=6>.