

**COURT OF APPEALS OF OHIO, ELEVENTH APPELLATE DISTRICT,
ASHTABULA COUNTY**

State of Ohio v. Lynette Marie McCowien

State v. McCowien, 2026-Ohio-1695 · No. 2026-A-0022, 2026-A-0023, 2026-A-0024, 2026-A-0025 · Decided
May 11, 2026

SUMMARY

The Ohio Eleventh District Court of Appeals dismissed four criminal appeals sua sponte as untimely. The notices of appeal were filed one day after the thirty-day deadline, and the appellant had not sought leave to file a delayed appeal under Ohio Appellate Rule 5(A).

OPINION

PER CURIAM.

[Cite as State v. McCowien, 2026-Ohio-1695.] IN THE COURT OF APPEALS OF OHIO ELEVENTH APPELLATE DISTRICT ASHTABULA COUNTY STATE OF OHIO, CASE NOS. 2026-A-0022 2026-A-0023 Plaintiff-Appellee, 2026-A-0024 2026-A-0025 - vs - LYNNETTE MARIE MCCOWIEN, Criminal Appeals from the County Court, Eastern Division Defendant-Appellant. Trial Court Nos. 2025 CRB 00062 E 2022 CRB 00209 E 2023 TRC 00569 E 2024 CRB 00206 E MEMORANDUM OPINION AND JUDGMENT ENTRY Decided: May 11, 2026 Judgment: Appeals dismissed April R. Grabman, Ashtabula County Prosecutor, 25 West Jefferson Street, Jefferson, OH 44047 (For Plaintiff-Appellee).

Margaret Brunarski, Ashtabula County Public Defender, and Edith M. Jonas, Assistant Public Defender, 22 East Jefferson Street, Jefferson, OH 44047 (For Defendant-Appellant). JOHN J. EKLUND, J. {¶1} On April 23, 2026, appellant, Lynette Marie McCowien, through counsel, filed notices of appeal from the Ashtabula County Court, Eastern Division’s, March 23, 2026 judgment entry. {¶2} “[A] party who wishes to appeal from an order that is final upon its entry shall file the notice of appeal required by App.R.

3 within 30 days of that entry.” App.R. 4(A)(1). {¶3} App.R. 5(A)(1) states: {¶4} “After the expiration of the thirty day period provided by App.R. 4(A) for the filing of a notice of appeal as of right, an appeal may be taken by a defendant with leave of the court to which the appeal is taken in the following classes of cases: {¶5} “(a) Criminal proceedings...” {¶6} App.R.

5(A)(2) further provides that “[a] motion for leave to appeal shall be filed with the court of appeals and shall set forth the reasons for the failure of the appellant to perfect an appeal as of

right.” {¶7} Timely notices of appeal from the March 23, 2026 entry were due no later than April 22, 2026, which was not a holiday or weekend.

The appeals are untimely by one day. {¶8} Appellant has neither complied with the thirty-day rule set forth in App.R. 4(A)(1) nor sought leave to appeal under App.R. 5(A). Thus, this court is without jurisdiction to consider the appeals. Appellant has a remedy of filing untimely criminal appeals under App.R. 5(A). {¶9} Accordingly, these appeals are hereby dismissed, sua sponte, as untimely.

EUGENE A. LUCCI, J., ROBERT J. PATTON, J., concur. PAGE 2 OF 3 Case Nos. 2026-A-0022, 2026-A-0023, 2026-A-0024, 2026-A-0025 JUDGMENT ENTRY For the reasons stated in the memorandum opinion of this court, it is ordered that these appeals are hereby dismissed, sua sponte, as untimely. All pending motions are hereby overruled as moot. Costs shall be taxed against appellant.

The clerk is instructed to serve counsel of record and appellant, Lynette Marie McCowien, Ashtabula County Jail, 25 West Jefferson Street, Jefferson, OH 44047, with a time-stamped copy of this opinion and judgment entry. JUDGE JOHN J. EKLUND JUDGE EUGENE A. LUCCI, concurs JUDGE ROBERT J. PATTON, concurs THIS DOCUMENT CONSTITUTES A FINAL JUDGMENT ENTRY A certified copy of this opinion and judgment entry shall constitute the mandate pursuant to Rule 27 of the Ohio Rules of Appellate Procedure.

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