

OHIO COURT OF APPEALS, NINTH JUDICIAL DISTRICT

McCloud v. Lorain Cty. Corr. Inst.

2026-Ohio-2231 · No. C.A. No. 26CA000102 · Decided June 15, 2026

SUMMARY

The Ninth District Court of Appeals dismissed Antonio Cheetah McCloud’s habeas corpus petition because he was incarcerated in Richland County, and Ohio law limits jurisdiction over such petitions to the courts or judges of the county where the institution is located. The court taxed costs to McCloud.

CASE DETAILS

COURT	Ohio Court of Appeals, Ninth Judicial District
WRITING FOR THE COURT	Per Curiam; Jill Flagg Lanzinger; Hensal, J.; Sutton, J.
JURISDICTION	Ohio Court of Appeals, Ninth Judicial District
DECIDED	June 15, 2026
DOCKET	C.A. No. 26CA000102
DISPOSITION	dismissed
PROCEDURAL POSTURE	Original action for a writ of habeas corpus seeking the petitioner's release from custody.
STANDARD OF REVIEW	The court applied the jurisdictional requirements governing habeas corpus petitions under R.C. 2725.03.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Antonio Cheetah McCloud v. Warden, Lorain Correctional Institution

TOPICS

- subject matter jurisdiction
- appellate jurisdiction
- post-conviction relief
- appellate procedure
- civil procedure

PRACTICE AREAS

- habeas corpus
- appellate jurisdiction
- post-conviction relief

QUESTIONS PRESENTED

1. Whether the Ninth District Court of Appeals had jurisdiction under R.C. 2725.03 to consider a habeas corpus petition filed by an inmate incarcerated in Richland County.
2. Whether a habeas corpus petition filed in the wrong county should be dismissed.

HOLDINGS

1. Under R.C. 2725.03, when a petitioner is incarcerated in a state correctional institution, only the courts or judges of the county in which that institution is located have jurisdiction to issue or determine a writ of habeas corpus for the petitioner's production or discharge. Because McCloud was incarcerated in Richland County, the Ninth District Court of Appeals lacked jurisdiction over his petition.
2. A habeas corpus petition filed in a county that lacks jurisdiction under R.C. 2725.03 must be dismissed.

KEY QUOTATIONS

“That section provides that if a person is incarcerated in a state correctional institution, only the courts or judges of “the county in which the institution is located has jurisdiction to issue or determine a writ of habeas corpus for his production or discharge.”” (¶ 2)

FACTUAL BACKGROUND

Antonio Cheetah McCloud was incarcerated in the Richland Correctional Institution. He filed a habeas corpus petition seeking an order requiring the warden of the Lorain Correctional Institution to release him from custody. Because the institution in which he was incarcerated was located in Richland County, the court concluded that the habeas petition had been filed in the wrong county.

PROCEDURAL HISTORY

Antonio Cheetah McCloud filed an original habeas corpus petition in the Ohio Court of Appeals for the Ninth Judicial District. The court determined that McCloud was incarcerated in Richland County and that Ohio law vested jurisdiction over his habeas petition exclusively in the courts or judges of Richland County. The court dismissed the action and taxed costs to McCloud.

DISPOSITION

dismissed

CASES CITED

- State ex rel. Robinson v. Fender, 2022-Ohio-3701
- Brown v. Hall, 123 Ohio St. 3d 381, 2009-Ohio-5592

OPINION

PER CURIAM.

[Cite as McCloud v. Lorain Cty. Corr. Inst., 2026-Ohio-2231.] STATE OF OHIO) IN THE
COURT OF APPEALS)ss: NINTH JUDICIAL DISTRICT COUNTY OF LORAIN) ANTONIO
CHEETAH MCCLOUD Petitioner C.A. No. 26CA000102 v. WARDEN, LORAIN
CORRECTIONAL ORIGINAL ACTION IN INSTITUTION HABEAS CORPUS Respondent
Dated: June 15, 2026 PER CURIAM. {¶1} Antonio Cheetah McCloud, an inmate in the Richland
Correctional Institution, filed a petition for a writ of habeas corpus to order the warden of the
Lorain Correctional Institution to release him from custody.

Because R.C. 2725.03 provides that jurisdiction is proper only in the county in which the
petitioner is incarcerated, this Court dismisses this case. {¶2} Section 3(B)(1), Article IV, of the
Ohio Constitution grants appellate courts original jurisdiction over the writ of habeas corpus. This
Court’s jurisdiction, however, is limited by R.C. 2725.03. That section provides that if a person is
incarcerated in a state correctional institution, only the courts or judges of “the county in which the
institution is located has jurisdiction to issue or determine a writ of habeas corpus for his
production or discharge.” {¶3} Mr. McCloud is incarcerated in a state correctional institution in
Richland County.

Thus, pursuant to R.C. 2725.03, only the courts or judges of Richland County 2 have jurisdiction
over his petition for a writ of habeas corpus. State ex rel. Robinson v. Fender, 2022-Ohio-3701, ¶
5. When a petition is filed in the wrong county, dismissal is appropriate. Id. at ¶ 5-6; Brown v.
Hall, 123 Ohio St.3d 381, 2009-Ohio-5592, ¶ 1. Pursuant to R.C. 2725.03, therefore, this Court
lacks jurisdiction to consider the petition. {¶4} Because jurisdiction does not lie in this Court to
consider Mr. McCloud’s petition, the case is dismissed.

Costs taxed to Mr. McCloud. {¶5} The clerk of courts is hereby directed to serve upon all parties
not in default notice of this judgment and its date of entry upon the journal. Civ.R. 58. JILL
FLAGG LANZINGER FOR THE COURT HENSAL, J. SUTTON, J. CONCUR.
APPEARANCES: ANTONIO CHEETAH MCCLOUD, Pro se, Petitioner. D. ANDREW
WILSON, Ohio Attorney General, for Respondent.

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Thus, pursuant to R.C. 2725.03, only the courts or judges of Richland County 2 have jurisdiction over his petition for a writ of habeas corpus. *State ex rel. Robinson v. Fender*, 2022-Ohio-3701, ¶ 5. When a petition is filed in the wrong county, dismissal is appropriate. *Id.* at ¶ 5-6; *Brown v. Hall*, 123 Ohio St.3d 381, 2009-Ohio-5592, ¶ 1. Pursuant to R.C. 2725.03, therefore, this Court lacks jurisdiction to consider the petition. {¶4} Because jurisdiction does not lie in this Court to consider Mr. McCloud's petition, the case is dismissed.

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