

COURT OF APPEALS
STARK COUNTY, OHIO
FIFTH APPELLATE DISTRICT

DARNELL D. HILL

Petitioner

-vs-

BRIAN COOK, WARDEN

Respondent

JUDGES:

Hon. William B. Hoffman, P.J.

Hon. Sheila G. Farmer, J.

Hon. John W. Wise, J.

Case No. 2010CA00077

OPINION

CHARACTER OF PROCEEDING:

Writ of Habeas Corpus

JUDGMENT:

Dismissed

DATE OF JUDGMENT ENTRY:

June 14, 2010

APPEARANCES:

For Petitioner

For Respondent

DARNELL D. HILL #A203-099
Madison Correctional Institution
P. O. Box 740
1851 State Route 56
London, OH 43140-0740

NO APPEARANCE

Farmer, J.

{¶1} Petitioner Darnell Hill has filed a Petition for Writ of Habeas Corpus and a Motion for Judgment on the Pleadings. In his Petition, Hill avers he is imprisoned in Madison Correctional Institution in London, Ohio. Because Petitioner Hill is not located within this Court's territorial jurisdiction, the instant cause of action must be dismissed for lack of jurisdiction. R.C. 2725.03 and *Bridges v. McMackin* (1989), 44 Ohio St.3d 135, 541 N.E.2d 1035. A petition for habeas corpus must be filed where the person being detained is physically located. *Id.*

{¶2} For this reason, the Motion for Judgment on the Pleadings is denied, and the Petition is dismissed.

{¶3} MOTION DENIED.

{¶4} CAUSE DISMISSED.

{¶5} COSTS TO PETITIONER.

{¶6} IT IS SO ORDERED.

By Farmer, J.

Hoffman, P. J. and

Wise, J. concur.

s/ Sheila G. Farmer

s/ William B. Hoffman

s/ John W. Wise

JUDGES

