

TURNER, APPELLANT, v. BRUNSMAN, WARDEN, APPELLEE.

[Cite as *Turner v. Brunzman*, 123 Ohio St.3d 445, 2009-Ohio-5588.]

Habeas corpus — Dismissal affirmed — Sentencing error not cognizable in habeas corpus.

(No. 2009-1129 — Submitted October 20, 2009 — Decided October 28, 2009.)

APPEAL from the Court of Appeals for Warren County, No. CA2009-02-021.

Per Curiam.

{¶ 1} We affirm the judgment of the court of appeals dismissing the petition of appellant, Donald Turner, for a writ of habeas corpus. Turner’s claim of nonjurisdictional sentencing errors is not cognizable in habeas corpus. See, e.g., *Dunn v. Smith*, 119 Ohio St.3d 364, 2008-Ohio-4565, 894 N.E.2d 312, ¶ 10. If, as Turner claims, the trial court refuses to issue a revised sentencing entry, he may compel the court to act through an action for a writ of mandamus or a writ of procedendo. *Id.* at ¶ 9.

Judgment affirmed.

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

Donald Turner, pro se.

Richard Cordray, Attorney General, and William H. Lamb, Assistant Attorney General, for appellee.
