

## Appellate Court Decisions - Week of 7/28/14

### First Appellate District of Ohio

#### **State v. Jones, 2014-Ohio-3345**

##### **Sentencing**

**Full Decision:** [http://www.hamilton-co.org/appealscourt/docs/decisions/C-130625\\_08012014.pdf](http://www.hamilton-co.org/appealscourt/docs/decisions/C-130625_08012014.pdf)

##### **Summary from the First District:**

“The trial court erred when it sentenced the defendant to prison for 12 fifth-degree felonies, because none of the criteria in R.C. 2929.13(B)(1)(b) were present, so a community-control term of at least one year was mandatory; but a prison term was appropriate for each of two fifth-degree felonies that the defendant committed with a firearm.

“The trial court erred when it failed to make findings in support of consecutive sentences during the sentencing hearing and to incorporate the findings in its sentencing entry.

“The trial court erred when it failed to inform the defendant about his postrelease-control obligations. ☹

“The defendant was not prejudiced by the court’s failure to inform him that he should not use illegal drugs and that he would be subject to drug testing while in prison, because R.C. 2929.19(B)(2)(f) confers no substantive rights.

“The trial court had no duty to inform the defendant about his eligibility for earned days of credit.”

#### **State v. Winn, 2014-Ohio-3347**

##### **Sentencing**

**Full Decision:** [http://www.hamilton-co.org/appealscourt/docs/decisions/C-130800\\_08012014.pdf](http://www.hamilton-co.org/appealscourt/docs/decisions/C-130800_08012014.pdf)

##### **Summary from the First District:**

“Where the record shows that the defendant was convicted of two counts of fourth-degree-felony burglary under R.C. 2911.12(B), but the trial court’s judgment entry incorrectly states that the defendant was convicted of burglary under R.C. 2911.12(A)(2), the cause must be remanded for correction of the clerical error in the judgment entry pursuant to Crim.R. 36.”

**Second Appellate District of Ohio**

*Nothing new.*

**Third Appellate District of Ohio**

*Nothing new.*

**Fourth Appellate District of Ohio**

*Nothing new.*

**Fifth Appellate District of Ohio**

*Nothing new.*

**Sixth Appellate District of Ohio**

*Nothing new.*

**Seventh Appellate District of Ohio**

*Nothing new.*

**Eighth Appellate District of Ohio**

*Nothing new.*

**Ninth Appellate District of Ohio**

*Nothing new.*

**Tenth Appellate District of Ohio**

*Nothing new.*

**Eleventh Appellate District of Ohio**

*Nothing new.*

**Twelfth Appellate District of Ohio**

*Nothing new.*

**Supreme Court of Ohio**

*Nothing new.*

**Sixth Circuit Court of Appeals**

*Nothing new.*

**Supreme Court of the United States**

*Nothing new.*