

**IN THE COURT OF APPEALS  
FIRST APPELLATE DISTRICT OF OHIO  
HAMILTON COUNTY, OHIO**

STATE OF OHIO,	:	APPEAL NO. C-200149
Plaintiff-Appellee,	:	TRIAL NO. B-1906040
vs.	:	<i>JUDGMENT ENTRY.</i>
RONNIE ALLEN,	:	
Defendant-Appellant.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court. *See* Rep.Op.R. 3.1; App.R. 11.1(E); 1st Dist. Loc.R. 11.1.1.

In January 2020, defendant-appellant Ronnie Allen entered a guilty plea to a reduced charge of attempted assault on a police officer. The trial court ordered a presentence investigation and subsequently imposed a maximum sentence of 12 months' incarceration, citing Mr. Allen's prior misdemeanor convictions, his unsuccessful history of community control, and his apparent lack of remorse for his actions.

Mr. Allen's appointed counsel has advised this court that, after a thorough review of the record, he can find nothing that would arguably support appellant's appeal, and that the appeal is wholly frivolous. *See Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967); *see also Freels v. Hills*, 843 F.2d 958 (6th Cir.1988). Counsel, as required by *Anders*, has communicated this conclusion to appellant, and has offered appellant an opportunity to respond and to raise any issues.

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Counsel has also moved this court for permission to withdraw as counsel. *See Anders* at 744; *see also* 1st Dist. Loc.R. 16.2(C)(1) and 16.2(D)(2).

Counsel now requests that this court independently examine the record to determine whether the appeal is wholly frivolous. *See Anders* at 744. We have done so, and we agree with counsel's conclusion that the proceedings below were free of error prejudicial to appellant and that no grounds exist to support a meritorious appeal. The trial court complied with all aspects of Crim.R 11(C) when it accepted Mr. Allen's guilty plea. Mr. Allen was properly advised of his post-release control requirements prior to the court's acceptance of his plea. The trial court's sentence was within the statutory range, and the court carefully delineated its consideration of the felony sentencing factors in R.C. 2929.11 and 2929.12. Although community control was an option in this case, the trial court cited several valid considerations in support of its decision to incarcerate Mr. Allen. Therefore, we overrule counsel's motion to withdraw from his representation of appellant, and affirm the judgment of the trial court.

We hold that this appeal is frivolous under App.R. 23 and without "reasonable cause" under R.C. 2505.35. But we refrain from taxing costs and expenses against appellant because he is indigent.

Further, a certified copy of this judgment entry shall constitute the mandate, which shall be sent to the trial court under App.R. 27.

**ZAYAS, P.J., MYERS and BERGERON, JJ.**

To the clerk:

Enter upon the journal of the court on February 3, 2021,  
per order of the court\_\_\_\_\_.

Administrative Judge