

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

STATE OF OHIO,	:	APPEAL NO. C-170326
Plaintiff-Appellee,	:	TRIAL NO. B-1700822(A)
vs.	:	<i>JUDGMENT ENTRY.</i>
RANDY ROMANS,	:	
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.

Defendant-appellant Randy Romans pleaded guilty to receiving stolen property. At the time of his arrest, three syringes that he claimed belonged to his then-girlfriend were recovered from the glove box in his car. He had one prior adult conviction in 2008 for operating a motor vehicle while impaired. Officers indicated that he was under the influence at the time of his arrest. While he denied having a drug problem, he admitted at sentencing that he had had “an alcohol problem” a decade before and that he had used heroin “maybe twice.”

The trial court sentenced Romans to community control, with the condition that he complete a residential substance-abuse program at the River City Correctional Center along with appropriate aftercare. In one assignment of error, he claims that the requirement to complete the River City program was an improper condition of his community control.

When determining the conditions of community control, courts must “consider whether the condition (1) is reasonably related to rehabilitating the offender, (2) has some relationship to the crime of which the offender was convicted, and (3) relates to conduct which is criminal or reasonably related to future

criminality and serves the statutory ends of probation.” *State v. Talty*, 103 Ohio St.3d 177, 2004-Ohio-4888, 814 N.E.2d 1201, ¶ 12, quoting *State v. Jones*, 49 Ohio St.3d 51, 53, 550 N.E.2d 469 (1990). We review the trial court's imposition of community-control sanctions under an abuse-of-discretion standard. *Tally*, citing *Lakewood v. Hartman*, 86 Ohio St.3d 275, 714 N.E.2d 902 (1990)

There was evidence to support the conclusion that Romans might have a problem with substance abuse. The fact that he denied having a current substance-abuse problem did not make the trial court’s decision to require the substance-abuse program as a condition of community control an abuse of discretion. We overrule Romans’s sole assignment of error and affirm the judgment of the trial court.

A certified copy of this judgment entry is the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

MOCK, P.J., ZAYAS and MILLER, JJ.

To the clerk:

Enter upon the journal of the court on March 21, 2018

per order of the court _____
Presiding Judge