

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

STATE OF OHIO,	:	APPEAL NOS. C-060907 <sup>1</sup>
		C-060908
Plaintiff-Appellee,	:	TRIAL NOS. B-0508408
		B-0603676
vs.	:	
		<i>JUDGMENT ENTRY.</i>
ANTONIO COLSON,	:	
Defendant-Appellant.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court.<sup>2</sup>

Defendant-appellant Antonio Colson appeals his convictions for trafficking in marijuana and trafficking in cocaine. In a single assignment of error, Colson argues that his convictions were against the manifest weight of the evidence. Colson contends that his own testimony and the testimony of the state’s witnesses were “equally credible,” and that the trial court lost its way when it chose to discount his testimony.

In reviewing a challenge to the weight of the evidence, we sit as a “thirteenth juror.”<sup>3</sup> We must review the entire record, weigh the evidence, consider the credibility of the witnesses, and determine whether the trier of fact clearly lost its way and created a manifest miscarriage of justice.<sup>4</sup>

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<sup>1</sup> Because Colson has advanced no assignments of error in the appeal numbered C-060907, we dismiss it.

<sup>2</sup> See S.Ct.R.Rep.Op. 3(A), App.R. 11.1(E), and Loc.R. 12.

<sup>3</sup> *State v. Thompkins*, 78 Ohio St.3d 380, 387, 1997-Ohio-52, 678 N.E.2d 541.

<sup>4</sup> *Id.*

Although Colson testified that the drugs recovered by the police were not his, the weight to be given the evidence and the credibility of the witnesses were primarily for the trier of fact.<sup>5</sup> Our review of the record convinces us that Colson's trafficking convictions were not against the manifest weight of the evidence. We overrule the assignment of error and affirm the judgment of the trial court.

Further, a certified copy of this Judgment Entry shall constitute the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

**PAINTER, P.J., HILDEBRANDT and HENDON, JJ.**

*To the Clerk:*

Enter upon the Journal of the Court on October 24, 2007  
per order of the Court \_\_\_\_\_.  
Presiding Judge

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<sup>5</sup> *State v. DeHass* (1967), 10 Ohio St.2d 230, 227 N.E.2d 212, paragraph one of the syllabus.