

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

STATE OF OHIO,	:	APPEAL NO. C-070632
Plaintiff-Appellee,	:	TRIAL NO. B-0512326
vs.	:	<i>JUDGMENT ENTRY.</i>
WILLIAM BELL,	:	
Defendant-Appellant.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court.<sup>1</sup>

Defendant-appellant, William Bell, was originally convicted of attempted robbery.<sup>2</sup> The trial court originally sentenced him to three years of community control. Subsequently, Bell pleaded no contest to a community-control violation. The trial court then sentenced him to two years' incarceration. This appeal followed.

As provided in *Anders v. California*,<sup>3</sup> Bell's appointed counsel has advised this court that, after a thorough review of the record, he can discern no arguable assignments of error to present on appeal. He has advised Bell of this determination, and Bell has not responded. Bell's counsel now asks this court to conduct an

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<sup>1</sup> See S.Ct.R.Rep.Op. 3(A), App.R. 11.1(E), and Loc.R. 12.

<sup>2</sup> R.C. 2911.02(A)(2) and R.C. 2923.02.

<sup>3</sup> (1967), 386 U.S. 738, 87 S.Ct. 1396.

independent review of the record to determine whether the proceedings below were free from prejudicial error.<sup>4</sup> He has also filed a motion to withdraw as Bell's counsel.

After reviewing the entire record, we are satisfied that Bell's counsel has provided his client with a diligent and thorough search of the record and that he has correctly concluded that the proceedings below were free from prejudicial error.<sup>5</sup> We hold that no grounds exist to support a meritorious appeal. Therefore, we affirm the trial court's judgment and overrule counsel's motion to withdraw. We find the appeal to be frivolous under App.R. 23 and R.C. 2505.35, but refrain from taxing costs and expenses against Bell because he is clearly 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. Costs shall be taxed under App.R. 24.

**SUNDERMANN, P.J., HENDON and DINKELACKER, JJ.**

*To the Clerk:*

Enter upon the Journal of the Court on August 20, 2008

per order of the Court \_\_\_\_\_.  
Presiding Judge

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<sup>4</sup> See *State v. Dorsey*, 1<sup>st</sup> Dist. No. C-070147, 2007-Ohio-5869; *State v. Mackey* (Dec. 17, 1999), 1<sup>st</sup> Dist. No. C-990302; *Freels v. Hills* (C.A.6, 1988), 843 F.2d 958.

<sup>5</sup> See *Penson v. Ohio* (1988), 488 U.S. 75, 109 S.Ct. 346; *Dorsey*, supra.