

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

STATE OF OHIO,	:	APPEAL NO. C-070800
	:	TRIAL NO. B-0605580
Plaintiff-Appellee,	:	
	:	<i>JUDGMENT ENTRY.</i>
vs.	:	
CHARLES L. CROCKETT, JR., ¹	:	
	:	
Defendant-Appellant.	:	

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

Defendant-appellant Charles L. Crockett, Jr., was indicted for four counts of nonsupport of dependents. Crockett pleaded guilty to two counts of nonsupport and the other two counts were dismissed. Crockett was sentenced to concurrent terms of six months' incarceration, with credit for 132 days served.

Crockett's first assignment of error, which alleges that the trial court erred in accepting his guilty pleas because they were not made knowingly, intelligently, and voluntarily, is overruled. The record shows that the trial court fully complied with Crim.R. 11(C). Further, the record shows that Crockett understood the nature of the charges against him, the possible penalties he faced, the rights that he was waiving, and the consequences of pleading guilty.

¹ Crockett's name is also spelled Crocket in the record. Crockett stated to the trial court that his given name was Charlie, and not Charles.

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

Crockett's second assignment of error alleges that he was denied the effective assistance of counsel. To prevail, Crockett must show deficient performance by counsel and prejudice.³ To establish prejudice, Crockett must show "that there was a reasonable probability that, but for the errors, the result of the proceeding would have been different."⁴ There is a strong presumption that counsel's representation fell within the wide range of reasonable professional assistance.⁵

Crockett admits that his complaints about counsel result for the most part from conversations outside the record. We have reviewed the record, and we hold that it does not demonstrate either deficient performance or prejudice to Crockett. The second assignment of error is overruled.

Therefore, the judgment of the trial court is affirmed.

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., CUNNINGHAM and DINKELACKER, JJ.

To the Clerk:

Enter upon the Journal of the Court on November 26, 2008

per order of the Court _____.
Presiding Judge

³ See *State v. Adams*, 103 Ohio St.3d 508, 2004-Ohio-5845, 817 N.E.2d 29, citing *Strickland v. Washington* (1984), 466 U.S. 668, 104 S.Ct. 2052.

⁴ See *Strickland v. Washington*, *supra*.

⁵ See *id.*