

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

STATE OF OHIO,	:	APPEAL NO. C-080085
	:	TRIAL NOS. B-9801971
Plaintiff-Appellee,	:	B-9802613
vs.	:	<i>JUDGMENT ENTRY.</i>
LEONARD COSTON,	:	
Defendant-Appellant.	:	

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

Leonard Coston appeals his convictions for burglary. We affirm the judgment of the trial court.

In 1998, Coston pleaded guilty to three counts of burglary in the case numbered B-9801971 and to one count of burglary in the case numbered B-9802613. The trial court sentenced Coston to three years for each count and ordered the sentences be served consecutively. In 2008, pursuant to R.C. 2929.191, the trial court conducted a resentencing hearing to inform Coston that he was subject to three years of mandatory post-release control. The court imposed the same sentence.

Pursuant to *Anders v. California*,² Coston's appointed counsel now advises this court that, after a thorough review of the record, she has found nothing that would

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

² (1967), 386 U.S. 738, 87 S.Ct. 1396.

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arguably support Coston's appeal, and she has moved this court for permission to withdraw as counsel. Under *Anders*, this court is now charged with the task of independently reviewing the record for any prejudicial error that would warrant the reversal of the trial court's judgment.³ Counsel, as required by *Anders*, has given Coston an opportunity to provide grounds for his appeal, and he has provided no additional grounds.

We have thoroughly reviewed the record, and we concur in counsel's conclusion that the proceedings below were free of error prejudicial to Coston. The resentencing hearing took place in accordance with R.C. 2929.191.⁴ And the sentence imposed by the trial court was within the statutory guidelines.

Our determination that the proceedings below were free of prejudicial error also compels our conclusion that there are no reasonable grounds for this appeal. But due to Coston's indigency, we allow no penalty.

The trial court's judgment is, accordingly, affirmed.

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

SUNDERMANN, P.J., PAINTER and HENDON, JJ.

To the Clerk:

Enter upon the Journal of the Court on October 29, 2008
per order of the Court _____.
Presiding Judge

³ Id.

⁴ See *State v. Ryan*, 172 Ohio App.3d 281, 2007-Ohio-3092, 874 N.E.2d 853.