

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

STATE OF OHIO,	:	APPEAL NO. C-080760
	:	TRIAL NO. B-0802397
Plaintiff-Appellee,	:	
	:	<i>JUDGMENT ENTRY.</i>
vs.	:	
RICKY BASKIN,	:	
	:	
Defendant-Appellant.	:	

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

Defendant-appellant Ricky Baskin was charged with one count of domestic violence,² one count of trafficking in cocaine,³ and one count of possession of cocaine.⁴ He pleaded guilty to trafficking in cocaine, and the state agreed to dismiss the possession-of-cocaine charge. The trial court dismissed the domestic-violence charge for want of prosecution. Baskin was sentenced to five years' incarceration, and the court imposed a mandatory five-year driver's license suspension. Because the court found Baskin indigent, the mandatory fine was waived. Baskin now appeals the five-year sentence.

On appeal, counsel for Baskin has filed a brief in accordance with *Anders v. California*, stating that counsel has conscientiously reviewed the record and has found

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

² R.C. 2919.25(A).

³ R.C. 2925.03(A)(2).

⁴ R.C. 2925.11(A).

no meritorious grounds on which to appeal.⁵ Counsel requests permission to withdraw and, as required by *Anders*, requests that this court independently examine the record to determine if the proceedings below were free of prejudicial error. Counsel has properly notified Baskin of the filing of this *Anders* brief, providing sufficient time for Baskin to provide grounds for this appeal. Baskin's assertions are without merit.

After examining the entire record, we are satisfied that counsel has provided Baskin with a diligent and thorough review of the proceedings, and that the proceedings below were free of prejudicial error.

We conclude that Baskin's appeal is without merit and wholly frivolous. Therefore, we overrule counsel's motion to withdraw and affirm the judgment of the trial court.

Although we hold that this appeal is frivolous under App.R. 23 and without "reasonable cause" under R.C. 2505.35, we refrain from taxing costs and expenses against Baskin because he is clearly indigent. 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.

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

To the Clerk:

Enter upon the Journal of the Court on May 20, 2009

per order of the Court _____
Presiding Judge

⁵ *Anders v. California* (1967), 386 U.S. 738, 87 S.Ct. 1396.