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

STATE OF OHIO,	:	APPEAL NOS. C-080900 C-080901
Plaintiff-Appellee,	:	TRIAL NOS. B-0804072 B-0804232A
vs.	:	*JUDGMENT ENTRY.*
CHRISTOPHER YEE,	:	
Defendant-Appellant.	:	

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

Defendant-appellant Christopher Yee was charged with one count of theft.[2]. He pleaded guilty to the theft charge and was sentenced to 12 months in prison. As a result of a separate incident, Yee was charged with two counts of aggravated robbery with firearm specifications,[3] one count of kidnapping with firearm specifications,[4] two counts of robbery,[5] and four counts of having weapons while under a disability.[6] He pleaded guilty to two of the robbery charges, one with firearm specifications, and the kidnapping charge. The remaining charges and specifications were discharged in exchange for his guilty plea. The trial court sentenced Yee to eight years confinement on each of the robbery counts, with the terms to run concurrently and to a consecutive one-year term

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[1] See S.Ct.R.Rep.Op. 3(A), App.R. 11.1(E), and Loc.R. 12.
[2] R.C. 2913.02(A)(1)
[3] R.C. 2911.01(A)(1)
[4] R.C. 2905.01(A)(2)
[5] R.C. 2911.02(A)(2)
[6] R.C. 2923.13(A)(3)

for the gun specifications. In total, Yee was sentenced to 10 years in prison, with credit for time served. Yee now appeals his sentence.

On appeal, counsel for Yee has filed a brief in accordance with *Anders v. California*, stating that counsel has conscientiously reviewed the record and has found no meritorious grounds on which to appeal.[7] 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 Yee of the filing of this *Anders* brief, giving him sufficient time to provide grounds for this appeal. Yee has chosen not to do so.

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

We conclude that Yee'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 Yee 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 June 3, 2009

per order of the Court _____.
Presiding Judge

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