

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

STATE OF OHIO,	:	APPEAL NOS. C-110219
		C-110227
Plaintiff-Appellee,	:	TRIAL NO. B-1007904
vs.	:	<i>JUDGMENT ENTRY.</i>
DUANE HATFIELD,	:	
Defendant-Appellant.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court. *See* S.Ct.R.Rep.Op. 3(A); App.R. 11.1.(E); Loc.R. 11.1.1.

Defendant-appellant Duane Hatfield pleaded guilty to seven counts of breaking and entering under R.C. 2911.13 (A). The trial court sentenced him to nine months' incarceration on each count, to be served consecutively, for a total of 63 months. Hatfield has appealed those convictions, and he asserts three assignments of error.

In his first assignment of error, he contends that the trial court erred in sentencing him. He argues that because the court did not consider the existence of mitigating factors, the sentences failed to reflect the purposes and principals of felony sentencing. *See* R.C. 2929.11 and R.C. 2929.12.

The record shows that the trial court considered all the relevant factors, including the mitigating factors that Hatfield had argued. Our review of the record shows that the sentences for all of the offenses were not contrary to law, or so arbitrary, unreasonable or unconscionable as to connote an abuse of discretion. *See*

State v. Kalish, 120 Ohio St.3d 23, 2008-Ohio-4192, 896 N.E.2d 124, ¶ 26; *State v. Clark*, 71 Ohio St.3d 466, 470, 1994-Ohio-43, 644 N.E.2d 331; *State v. Jones*, 1st Dist. No. C-090137, 2010-Ohio-4116, ¶ 50. Therefore, we overrule Hatfield's first assignment of error.

In his second assignment of error, Hatfield contends that the trial court erred in accepting his guilty pleas because they were not made knowingly, intelligently, and voluntarily. The record shows that the court complied with the requirements of Crim.R. 11(C). It conducted a meaningful dialogue to ensure that Hatfield's pleas were made knowingly, intelligently, and voluntarily. *See State v. Ballard*, 66 Ohio St.2d 473, 475-478, 423 N.E.2d 115 (1981); *State v. Fields*, 1st Dist. No. C-090648, 2010-Ohio-4114, ¶ 8-10. Therefore, the court did not err in accepting the pleas. Hatfield acknowledges that his argument involves matters outside the record on appeal, which we cannot consider. *State v. Ishmail*, 54 Ohio St.2d 402, 377 N.E.2d 500 (1978), paragraph one of the syllabus; *Fields* at ¶ 15. Consequently, we overrule his second assignment of error.

In his third assignment of error, Hatfield contends that he was denied the effective assistance of counsel. Hatfield has not demonstrated that counsel's representation fell below an objective standard of reasonableness, or that, but for counsel's unprofessional errors, the results of the proceeding would have been otherwise. Therefore, he has failed to meet his burden to show ineffective assistance of counsel. *See Strickland v. Washington*, 466 U.S. 668, 687-689, 104 S.Ct. 2052, 80 L.Ed.2d 674 (1984); *State v. Blair*, 1st Dist. Nos. C-100150 and C-100151, 2010-Ohio-6310, ¶ 20-22. We overrule Hatfield's third assignment of error and affirm the trial court's judgment.

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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.

HILDEBRANDT, P.J., HENDON and DINKELACKER, JJ.

To the clerk:

Enter upon the journal of the court on January 27, 2012
per order of the court _____.
Presiding Judge