

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

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| STATE OF OHIO, | : | APPEAL NO. C-110293 |
| Plaintiff-Appellee, | : | TRIAL NO. B-1008102 |
| vs. | : | <i>JUDGMENT ENTRY.</i> |
| MICHAEL DISYLVESTRO, | : | |
| 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 Michael Disylvestro appeals from the three-year prison term imposed by the trial court for burglary. We overrule Disylvestro's assignment of error and affirm the judgment of the trial court.

In his sole assignment of error, Disylvestro contends that the trial court erred in imposing the prison sentence by failing to consider the principles and purposes of sentencing. Disylvestro concedes that the three-year prison sentence falls within the applicable statutory range for burglary, but Disylvestro argues that the trial court failed to consider R.C. 2929.11 and R.C. 2929.12 when imposing the sentence. We presume that the trial court gave proper consideration to the applicable sentencing statutes, and the record does not indicate that the trial court's decision was unreasonable, arbitrary, or unconscionable. *State v. Kalish*, 120 Ohio St.3d 23, 2008-Ohio-4912, 896 N.E.2d 124, ¶18-19. We overrule the assignment of error.

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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.

HILDEBRANDT, P.J., SUNDERMANN and FISCHER, JJ.

To the clerk:

Enter upon the journal of the court on December 9, 2011
per order of the court _____.
Presiding Judge