

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

STATE OF OHIO,	:	APPEAL NOS. C-110561
		C-110562
Plaintiff-Appellee,	:	
vs.	:	TRIAL NOS. 11CRB-19330-A
		11CRB-19330-B
TOMIKA PITTS,	:	<i>JUDGMENT ENTRY.</i>
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.

Tomika Pitts appeals her convictions for disorderly conduct and menacing. We conclude that her assignment of error does not have merit, so we affirm the judgment of the trial court.

Pitts was charged with assault in violation of R.C. 2901.13(A) and aggravated menacing in violation of R.C. 2903.21(A). She pleaded guilty to reduced charges of disorderly conduct and menacing. The trial court sentenced her accordingly.

In her sole assignment of error, Pitts asserts that the trial court erred in failing to ensure that she was not prejudiced by ineffective assistance of counsel. “A defendant who enters a guilty plea waives the right to challenge his trial counsel’s effectiveness, except to the extent that counsel’s ineffectiveness rendered the plea less than voluntary or intelligent.” *State v. Peoples*, 1st Dist. No. C-050620, 2006-Ohio-2614, ¶ 22. We conclude that Pitts has not demonstrated that her counsel was deficient. *See Strickland v. Washington*, 466 U.S. 668, 687, 104 S.Ct. 2052, 80 L.Ed.2d 674 (1984). Nor has she demonstrated that, but for her counsel’s

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performance, she would not have pleaded guilty to the two reduced charges. *See Peoples, supra*. The sole assignment of error is overruled, and we, therefore, affirm the judgment of the trial court.

A certified copy of this judgment entry is the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

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

To the clerk:

Enter upon the journal of the court on May 9, 2012

per order of the court _____.
Presiding Judge