

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

STATE OF OHIO,	:	APPEAL NO. C-110858
Plaintiff-Appellee,	:	TRIAL NO. B-0704084
vs.	:	<i>JUDGMENT ENTRY.</i>
BRYCE L. CAMBEROS,	:	
Defendant-Appellant.	:	

We consider this appeal on the accelerated calendar. This judgment entry is not an opinion of the court. *See* S.Ct.R.Rep.Op. 2; App.R. 11.1(E); 1st Dist. Loc.R. 11.1.1.

Defendant-appellant Bryce L. Camberos appeals from the trial court's entry revoking community control and imposing a prison sentence. In 2007, Camberos had entered a guilty plea to a single count of nonsupport of dependents, punishable as a fifth-degree felony. The trial court imposed a five-year period of community control, which included an obligation "to pay current and back support." Throughout the term, Camberos made substantial payments of support. But in September 2011, Camberos was convicted of robbing a Butler County convenience store.

In November 2011, Camberos received written notice that the robbery conviction had violated the terms of his community-control sanction and that a violation hearing would be held. At a December 5, 2011, hearing, Camberos forfeited a determination of probable cause and entered a plea of no contest to the community-control sanction violation. The trial court accepted the plea, found Camberos guilty of the violation, and, after crediting Camberos for time served, imposed a one-year term of imprisonment to be

served consecutively to the Butler County sentences. We note that the trial court executed a sentencing-findings worksheet to document that the trial court had made the required findings to support the sentence. *See State v. Alexander*, 1st Dist. Nos. C-110828 and C-110829, 2012-Ohio-3349, ¶ 17.

In his sole assignment of error, Camberos asserts that the trial court violated his due process rights when it failed “to discuss a defendant’s rights” at the community-control violation hearing. He argues that the trial court had a duty to determine that Camberos understood and acknowledged the waiver of those rights before accepting his plea of no contest to the community-control violation.

We note that Camberos failed to object to the claimed due process violations in the trial court. Therefore, he has forfeited all but plain error on appeal. *See* Crim.R. 52(B); *see also State v. Payne*, 114 Ohio St.3d 502, 2007-Ohio-4642, 873 N.E.2d 306, ¶ 15; *State v. Longworth*, 2d Dist. No. 24327, 2011-Ohio-4191, ¶ 9. An error rises to the level of plain error only where it is both obvious and outcome-determinative. *State v. Barnes*, 94 Ohio St.3d 21, 27, 759 N.E.2d 1240 (2002).

A defendant faced with revocation of community control “is not afforded the full panoply of rights given to a defendant in a criminal prosecution.” *State v. Alexander*, 1st Dist. No. C-070021, 2007-Ohio-5457, ¶ 7, citing *Morrissey v. Brewer*, 408 U.S. 471, 480, 92 S.Ct. 2593, 33 L.Ed.2d 484 (1972). The requirements of a Crim.R. 11(C) colloquy do not apply to pleas entered in a community-control-violation hearing. Under Crim.R. 32.3(A), before a trial court imposes a prison term for a violation of the conditions of a community-control sanction, the court must hold a hearing at which the defendant is present and apprised of the grounds for the violation. *See* Crim.R. 32.3(A); *see also Alexander* at ¶ 7-8.

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Here, Camberos received notice of the community-control violation. He was provided with a hearing on the matter and was represented by competent counsel at the hearing. *See* Crim.R. 32.3(B). Camberos admitted to violating his community control and engaged in a lengthy discussion of his role in the Butler County robbery with the trial court. Camberos's counsel made an extensive argument in mitigation noting that Camberos had paid down all but \$1,000 of his remaining support obligation.

The record below demonstrates that the trial court did not err under Crim.R. 32.3 much less commit obvious errors which affected the outcome of the hearing. Camberos's assignment of error is overruled.

Therefore, the trial court's judgment is affirmed.

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 CUNNINGHAM, JJ.

To the clerk:

Enter upon the journal of the court on September 28, 2012

per order of the court _____.
Presiding Judge