

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

STATE OF OHIO,	:	APPEAL NO. C-120529
	:	TRIAL NO. B-0907100
Plaintiff-Appellee,	:	
vs.	:	
	:	<i>JUDGMENT ENTRY.</i>
SILAS DICK,	:	
	:	
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. 2; App.R. 11.1(E); 1st Dist. Loc.R. 11.1.1.

Following a bench trial, defendant-appellant Silas Dick was convicted of two counts of rape and one count of gross sexual imposition. Because we find no merit in his four assignments of error, we affirm the judgment of the trial court.

In his first and second assignments of error, Dick argues that his convictions were not supported by sufficient evidence and were against the manifest weight of the evidence. After viewing the evidence in a light most favorable to the prosecution, a rational trier of fact could have found that the state had proved beyond a reasonable doubt all the elements of the charged offenses. Therefore, the evidence was sufficient to support Dick's convictions. *See State v. Jenks*, 61 Ohio St.3d 259, 574 N.E.2d 492 (1991), paragraph two of the syllabus. Moreover, after reviewing the record, it does not

appear that the trier of fact lost its way and created such a manifest miscarriage of justice that we must reverse Dick's convictions and order a new trial. Therefore, Dick's convictions are not against the manifest weight of the evidence. *See State v. Thompkins*, 78 Ohio St.3d 380, 387, 678 N.E.2d 541 (1997). We overrule Dick's first and second assignments of error.

In his third assignment of error, Dick argues that the trial court abused its discretion in sentencing him. Dick primarily contends that the trial court failed to make the findings required by R.C. 2929.14(C) before imposing consecutive sentences. The record reflects that the trial court engaged in the required analysis and made the appropriate findings. *See State v. Alexander*, 1st Dist. Nos. C-110828 and C-110829, 2012-Ohio-3349, ¶ 16-21. Furthermore, our review of the record shows that Dick's sentences were not contrary to law, or so arbitrary, unreasonable or unconscionable as to connote an abuse of discretion by the trial court. *See State v. Kalish*, 120 Ohio St.3d 23, 2008-Ohio-4912, 896 N.E.2d 124, ¶ 14-17. We overrule Dick's third assignment of error.

In his fourth assignment of error, Dick argues that the trial court's finding that he was a sexual predator was against the manifest weight of the evidence. *See State v. Eppinger*, 91 Ohio St.3d 158, 163, 743 N.E.2d 881 (2001); R.C. 2950.09(B)(3). After reviewing all evidence and reasonable inferences and considering the credibility of the witnesses, we cannot conclude that the trial court lost its way and created such a manifest miscarriage of justice that we must reverse its decision. *See Eastley v. Volkman*, 132 Ohio St.3d 328, 2012-Ohio-2179, 972 N.E.2d 517, ¶ 14-23, citing *Thompkins* at 387. Therefore, we overrule Dick's fourth assignment of error.

We affirm the judgment of the trial court.

**OHIO FIRST DISTRICT COURT OF APPEALS**

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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.

**HILDEBRANDT, P.J., CUNNINGHAM and FISCHER, JJ.**

To the clerk:

Enter upon the journal of the court on March 15, 2013  
per order of the court \_\_\_\_\_.  
Presiding Judge