

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

STATE OF OHIO,	:	APPEAL NO. C-130308
	:	TRIAL NO. B-1103290
Plaintiff-Appellee,	:	
vs.	:	<i>JUDGMENT ENTRY.</i>
MELISSA ELLIS,	:	
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.

Defendant-appellant Melissa Ellis appeals from the judgment of the Hamilton County Court of Common Pleas convicting her of third-degree felony theft, in violation of R.C. 2913.02, upon her guilty plea to the reduced charge. As demonstrated in the record, Ellis stole more than \$100,000 from the elderly and infirm woman she was supposed to be taking care of. In sentencing Ellis, the trial court declined to impose a community-control sanction and instead imposed a prison term of nine months, the minimum term for a third-degree felony.

We overrule Ellis's sole assignment of error, challenging the trial court's imposition of a prison term, because we do not clearly and convincingly find that the sentence was contrary to law. *See* R.C. 2953.08(G)(2); *State v. White*, 2013-Ohio-4225, 997 N.E.2d 629, ¶ 9 (1st Dist.). The trial court was not required to make any statutory findings before imposing a prison term, *see* R.C. 2929.13(C), and the defendant has not

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demonstrated, nor has our review of the record disclosed, that the trial court failed to properly consider the provisions of R.C. 2929.11 and 2929.12 before imposing the sentence. *See State v. Kennedy*, 2013-Ohio-4221, 998 N.E.2d 1189, ¶ 118 (1st Dist.).

Accordingly, we affirm the trial court's judgment.

Further, a certified copy of this judgment entry shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

CUNNINGHAM, P.J., HILDEBRANDT and DINKELACKER, J.J.

To the clerk:

Enter upon the journal of the court on March 5, 2014
per order of the court _____.
Presiding Judge