

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

STATE OF OHIO,	:	APPEAL NOS. C-180487
		C-180488
Plaintiff-Appellee,	:	C-180489
		TRIAL NOS. 18CRB-2571A
vs.	:	18CRB-2571B
		18CRB-4305
IMMANUEL LEE,	:	
Defendant-Appellant.	:	<i>JUDGMENT ENTRY.</i>

We consider these appeals on the accelerated calendar, and this judgment entry is not an opinion of the court. *See* Rep.Op.R. 3.1; App.R. 11.1(E); 1st Dist. Loc.R. 11.1.1.

Defendant-appellant Immanuel Lee was convicted of two counts of violating a protection order in violation of R.C. 2919.27 in the cases numbered 18CRB-2571A and 18CRB-4305, and was found guilty of telecommunications harassment in violation of R.C. 2917.21 in the case numbered 18CRB-2571B. The trial court merged the case numbered 18CRB-2571B with the case numbered 18CRB-2571A, and sentenced Lee to 180 days in jail on that count. The court then sentenced Lee to 180 days in jail in the case numbered 18CRB-4305, with the two 180-day sentences to run consecutively.

Lee appealed his sentences, claiming in three assignments of error that the trial court erred when it failed to comply with R.C. 2929.12(D)(2), failed to take his mental illness into consideration, and failed to make the findings mandated by R.C. 2929.14(C)(4) when it imposed consecutive sentences. During oral argument, Lee's counsel informed the court that Lee had served his sentences and was now out of jail.

Lee's assignments of error only relate to his sentences, and not his underlying convictions. Since the case numbered 18CRB-2571B was merged with the case numbered 18CRB-2571A, this court lacks jurisdiction to hear the appeal relating to

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the case numbered 18CRB-2571B. Therefore, we dismiss the appeal numbered C-180488.

As his counsel conceded at oral argument, Lee's remaining appeals are moot because he has served his sentences. *See State v. Ysrael*, 1st Dist. Hamilton No. C-140148, 2015-Ohio-332, ¶ 13; *see also State v. Howell*, 5th Dist. Stark No. 2001CA00346, 2002-Ohio-3947, ¶ 18. Therefore, we dismiss his remaining appeals.

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.

MOCK, P.J., BERGERON and CROUSE, JJ.

To the clerk:

Enter upon the journal of the court on July 24, 2019,
per order of the court _____.

Presiding Judge