

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

STATE OF OHIO,	:	APPEAL NOS. C-190209
		C-190219
Plaintiff-Appellee,	:	TRIAL NO. B-9107930
vs.	:	
		<i>JUDGMENT ENTRY.</i>
ROOSEVELT BARRON,	:	
Defendant-Appellant.	:	

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.

In 1992, defendant-appellant Roosevelt Barron pleaded guilty to a murder he had committed in 1991. He was sentenced to 15 years to life. In 2018, he filed a motion to correct his sentence, arguing that the trial court had failed to notify him of postrelease control. The trial court denied his motion.

Barron filed two notices of appeal, but only submitted an appellate brief with an assignment of error for our review under the appeal numbered C-190209. Because Barron did not pursue his other appeal, we hereby dismiss the appeal numbered C-190219.

In his single assignment of error, Barron contends that his sentence is contrary to law and thus, the trial court erred in denying his motion. We disagree.

Barron contends that he was not notified of postrelease control when he was sentenced for murder in 1992. He is correct. The trial court never notified Barron of postrelease control because postrelease control in its current form did not exist prior to the enactment of 1996 Am.Sub.S.B. No. 2 (“S.B. 2”), which became effective on July 1,

OHIO FIRST DISTRICT COURT OF APPEALS

1996. The Ohio Supreme Court has held that the provisions of S.B. 2 do not apply to persons convicted and sentenced prior to July 1, 1996. *State ex rel. Maynard v. Jones*, 81 Ohio St.3d 332, 333, 691 N.E.2d 280 (1998). Since Barron was convicted of murder prior to July 1, 1996, the trial court was not required to notify him of postrelease control. We note that prior to S.B. 2, certain offenders, like Barron, were subject to parole, which is a form of supervised release granted to some inmates prior to the expiration of their maximum sentence. *See State v. Gimbrone*, 2d Dist. Montgomery No. 23062, 2009-Ohio-6264. But trial courts are not required to advise defendants about parole because “parole does not extend the penalty for an offense, but offers the opportunity for early release.” *State v. Clark*, 119 Ohio St.3d 239, 2008-Ohio-3748, 893 N.E.2d 462, ¶ 51, citing R.C. 2967.01(E).

Because the trial court was not required to notify Barron of postrelease control when he was sentenced in 1992, we overrule his single assignment of error. Accordingly, the judgment of the trial court is affirmed in the appeal numbered C-190209.

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.

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

To the clerk:

Enter upon the journal of the court on March 25, 2020,
per order of the court_____.

Presiding Judge