

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

STATE OF OHIO,	:	APPEAL NO. C-150006
	:	TRIAL NO. B-1405023
Plaintiff-Appellee,	:	
	:	<i>JUDGMENT ENTRY.</i>
vs.	:	
CARL STAFFORD,	:	
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.

In one assignment of error, defendant-appellant Carl Stafford claims that the trial court improperly sentenced him to 12 months in prison after he pleaded guilty to one count of breaking and entering, a felony of the fifth degree. Stafford had several other felony convictions, had been to prison, and had failed to successfully complete previous terms of community control. We affirm.

Under R.C. 2953.08(G), this court may only vacate or modify a felony sentence if the record does not support the mandatory sentencing findings, or if the sentence is otherwise contrary to law. *State v. White*, 2013-Ohio-4225, 997 N.E.2d 629, ¶ 11 (1st Dist.). A trial court need not make sentencing findings when imposing a maximum prison term. *See White* at ¶ 8. Moreover, this court presumes that a trial court considered R.C. 2929.11 and 2929.12. *See State v. Kennedy*, 2013-Ohio-4221, 998 N.E.2d 1189, ¶ 118 (1st Dist.).

Stafford's prison term fell within the statutory range, and the trial court was not required to make any sentencing findings. In determining whether Stafford's sentence was otherwise contrary to law, we conclude that nothing in the record demonstrates that the trial court failed to consider the appropriate sentencing

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guidelines before imposing the maximum sentence. We overrule Stafford's assignment of error, and affirm the judgment of the trial court.

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.

HENDON, P.J., CUNNINGHAM and MOCK, JJ.

To the clerk:

Enter upon the journal of the court on November 4, 2015
per order of the court _____.

Presiding Judge

