

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

STATE OF OHIO,	:	APPEAL NO. C-150656
	:	TRIAL NO. B-1502137
Plaintiff-Appellee,	:	
	:	<i>JUDGMENT ENTRY.</i>
vs.	:	
DARRYL ROBINSON,	:	
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 Darryl Robinson was indicted for two counts of murder and one count of tampering with evidence. He later pleaded guilty to voluntary manslaughter and tampering with evidence. He was sentenced to 11 years in prison for the voluntary-manslaughter charge and 36 months in prison for tampering with evidence. The sentences were ordered to be served consecutively, for a total of 14 years in prison.

In one assignment of error, Robinson argues that the trial court imposed maximum, consecutive sentences without properly considering the purposes and principles of sentencing or any of the factors set forth in R.C. 2929.11(B) and 2929.12(A)-(E). This court will only modify or vacate a sentence if it clearly and convincingly finds that either the record does not support the mandatory sentencing findings or the sentence is otherwise contrary to law. *State v. White*, 2013-Ohio-4225, 997 N.E.2d 629, ¶ 11 (1st Dist.).

The trial court's remarks at the sentencing hearing show that it considered the relevant sentencing provisions. The court need not make specific findings on the record, and we can presume that a court considered the factors, absent an affirmative

OHIO FIRST DISTRICT COURT OF APPEALS

demonstration in the record showing otherwise. *State v. Hendrix*, 1st Dist. Hamilton Nos. C-150194 and C-150200, 2016-Ohio-2697, ¶ 51. No such affirmative demonstration exists in this case. The trial court discussed the nature of the offenses, Robinson’s extensive criminal record, as well as the fact that his conduct resulted in the death of another. The court also made the required findings, which are supported by the record, to impose consecutive sentences, and journalized those findings in its sentencing entry. *See State v. Thomas*, 1st Dist. Hamilton No. C-140070, 2014-Ohio-3833, ¶ 9. We overrule Robinson’s sole 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.

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

To the clerk:

Enter upon the journal of the court on July 20, 2016

per order of the court _____.

Presiding Judge