

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

STATE OF OHIO,	:	APPEAL NO. C-150747
Plaintiff-Appellee,	:	TRIAL NO. 15CRB-30851
vs.	:	<i>JUDGMENT ENTRY.</i>
LAMONT BAKER,	:	
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.

Following a bench trial in the Hamilton County Municipal Court, defendant-appellant Lamont Baker was convicted of assaulting J.B., his girlfriend's 17-year-old son.

In a single assignment of error, Baker challenges the weight and sufficiency of the evidence adduced to support his conviction. To find Baker guilty of assault, the trier of fact had to find that he had knowingly caused physical harm to J.B. *See* R.C. 2903.13. At trial, the state produced ample evidence that Baker had choked J.B. and had punched him repeatedly in the face, causing J.B. to suffer multiple bruises and scratches. Consequently, we hold that a rational trier of fact, viewing the evidence in a light most favorable to the prosecution, could have found that the state had proved beyond a reasonable doubt that Baker had committed the offense of assault. Therefore,

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the evidence was legally sufficient to sustain his conviction. *See State v. Jenks*, 61 Ohio St.3d 259, 574 N.E.2d 492 (1991), paragraph two of the syllabus.

The trial court was entitled to reject Baker's testimony that J.B. had attacked him. The weight to be given the evidence and the credibility of the witnesses were for the trier of fact. *See State v. DeHass*, 10 Ohio St.2d 230, 227 N.E.2d 212 (1967), paragraph one of the syllabus. Moreover, our review of the record fails to persuade us that the trial court, acting as the trier of fact, clearly lost its way and created such a manifest miscarriage of justice that the conviction must be reversed and a new trial ordered. *See State v. Thompkins*, 78 Ohio St.3d 380, 387, 678 N.E.2d 541 (1997). We overrule the sole assignment of error and affirm the judgment of the trial court.

Further, 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.

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

To the clerk:

Enter upon the journal of the court on August 17, 2016

per order of the court _____.
Presiding Judge