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

STATE OF OHIO,   :   APPEAL NO. C-170447
                                                        TRIAL NO. B-1605524
    Plaintiff-Appellee,   :

    vs.   :   *JUDGMENT ENTRY.*

JEFFREY CLEMENTS,   :

    Defendant-Appellant.   :

We consider this appeal 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 Jeffrey Clements pled guilty to two counts of pandering sexually oriented matter involving a minor, in violation of R.C. 2907.322(A), and three counts of rape of a child under 13, in violation of R.C. 2907.02(A)(1)(b). The trial court sentenced Clements to two consecutive 8-year prison terms on the two pandering counts, consecutive to three consecutive life terms on the three rape counts. This appeal followed.

In his sole assignment of error, Clements argues that the record does not support the imposition of consecutive sentences and the trial court failed to make the requisite findings pursuant to R.C. 2929.14(C)(4). Our standard of review of felony sentencing is set forth by statute. *See* R.C. 2953.08(G)(2); *State v. White,* 2013-Ohio-4225, 997 N.E.2d 629 (1st Dist.).

Under R.C. 2929.14(C)(4), the trial court may impose consecutives sentences if it finds

that the consecutive service is necessary to protect the public from future crime or to punish the offender and that consecutive sentences are not disproportionate to the seriousness of the offender's conduct and to the danger the offender poses to the public, and if the court also finds any of the following:

(a) The offender committed one or more of the multiple offenses while the offender was awaiting trial or sentencing, was under a sanction imposed pursuant to section 2929.16, 2929.17, or 2929.18 of the Revised Code, or was under post-release control for a prior offense.

(b) At least two of the multiple offenses were committed as part of one or more courses of conduct, and the harm caused by two or more of the multiple offenses so committed was so great or unusual that no single prison term for any of the offenses committed as part of any of the courses of conduct adequately reflects the seriousness of the offender's conduct.

(c) The offender's history of criminal conduct demonstrates that consecutive sentences are necessary to protect the public from future crime by the offender.

The trial court is not required to state the letter of the statute verbatim as long as the reasons for the sentence are apparent from the record. *See State v. Jones,* 1st Dist. Hamilton No. C-110603, 2012-Ohio-2075, ¶ 22; *State v. Wedge,* 1st Dist. Hamilton No. C-000747, 2001 WL 1635585 (Dec. 21, 2001). Having reviewed the record, including the transcript of the sentencing hearing, we find that the trial court imposed

consecutive sentences in accordance with R.C. 2929.14(C)(4). During the sentencing hearing, the trial court stated that the consecutive sentences were necessary to protect the public from Clements's conduct and to punish Clements for the offenses. The trial court specifically found that the sentence was not disproportionate to the seriousness of Clements's conduct and the danger he poses to the public because of the "great and unusual" harm involved—namely, the repeated rape of a girl under the age of 13, which Clements filmed. The court also noted that Clements had a prior conviction for criminal child enticement, which further supported the imposition of consecutive sentences to protect the public. We hold that the trial court's imposition of consecutive sentences was appropriate and supported by the record. Therefore, we overrule Clements's sole assignment of error.

The judgment of the trial court is affirmed.

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.

CUNNINGHAM, P.J., MYERS and **MILLER, JJ.**

To the clerk:

Enter upon the journal of the court on July 18, 2018

per order of the court _____.
Presiding Judge