

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

STATE OF OHIO,	:	APPEAL NO. C-210270
Plaintiff-Appellee,	:	TRIAL NO. B1906740
vs.	:	<i>JUDGMENT ENTRY.</i>
QUINTA LAMAR,	:	
Defendant-Appellant.	:	

The court sua sponte removes this case from the regular calendar and places it on the court's accelerated calendar, 1st Dist. Loc.R. 11.1.1(A), and this judgment entry is not an opinion of the court. See Rep.Op.R. 3.1; App.R. 11.1(E).

In December 2019, officers found defendant-appellant Quinta Lamar suffering from an overdose and sleeping in the hallway of an apartment building. A grand jury indicted Mr. Lamar on six counts of drug trafficking. In exchange for dismissal of five of the counts, Mr. Lamar pled guilty to one count of aggravated trafficking in drugs under R.C. 2925.03(A)(2). The trial court ordered him to serve the jointly recommended sentence of 24 months, with credit for 451 days served.

We dismissed Mr. Lamar's initial appeal because his appellate counsel failed to file a brief. Counsel filed for reconsideration, which we granted when she presented proof that a brief was filed, albeit with the wrong case number. As a result of this delay, Mr. Lamar has completed his sentence and is no longer incarcerated.

Mr. Lamar’s counsel advised this court that, after a thorough review of the record, she can find nothing that would arguably support Mr. Lamar’s appeal. *See Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967). Counsel, as required by *Anders*, communicated this conclusion to Mr. Lamar via letter on June 15th, 2021, and asked him to respond with any disagreement about dismissing the appeal. To date, Mr. Lamar has not done so. Mr. Lamar’s counsel has moved this court for permission to withdraw as counsel, and requested that we independently examine the record to determine whether the appeal is wholly frivolous. *See Anders* at 744. Having done so, we agree with counsel’s conclusion that the proceedings below were free of error prejudicial to Mr. Lamar and that no grounds exist to support a meritorious appeal.

Generally, the collateral consequences of a felony conviction give rise to an appeal even when a defendant has completed his sentence. *State v. Golston*, 71 Ohio St. 3d 224, 227, 1994-Ohio-109, 643 N.E.2d 109 (1994) (“[A]n appeal challenging a felony conviction is not moot even if the entire sentence has been satisfied before the matter is heard on appeal.”). But when the defendant challenges the length of the sentence as opposed to the conviction itself, the mootness doctrine applies. *See State v. Ingledue*, 2d Dist. Clark No. 2018-CA-47, 2019-Ohio-397, ¶ 10. Thus, any errors regarding the length of Mr. Lamar’s sentence are moot and we only examine the record for errors in the conviction itself.

In felony cases, courts shall not accept guilty pleas without first addressing the defendant personally and informing him of his constitutional trial-related rights. “[T]he best method of informing a defendant of his constitutional rights is to use the language contained in Crim. R. 11(C), stopping after each right and asking the defendant whether

he understands the right and knows that he is waiving it by pleading guilty.” *State v. Ballard*, 66 Ohio St.2d 473, 479, 423 N.E.2d 115 (1981).

A review of this record shows that the trial court complied with all aspects of Crim.R 11(C) and properly advised Mr. Lamar that he was giving up certain constitutional rights by pleading guilty. The trial court notified Mr. Lamar that he may be placed on post-release control, explained what that meant, and warned of the additional incarceration he faced if he violated post-release control or committed a new felony. The court imposed the sentence that Mr. Lamar agreed to, 24 months in the D.O.C. with credit for 451 days. Therefore, we overrule counsel’s motion to withdraw from her representation of Mr. Lamar, and affirm the judgment of the trial court. We hold that this appeal is frivolous under App.R. 23 and without “reasonable cause” under R.C. 2505.35. But we refrain from taxing costs and expenses against appellant because he is indigent.

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.

**BERGERON, P.J., WINKLER and BOCK, JJ.**

To the clerk:

Enter upon the journal of the court on March 16, 2022,

per order of the court \_\_\_\_\_.

Presiding Judge