

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

STATE OF OHIO,	:	APPEAL NO. C-220282
	:	TRIAL NO. B-2101624-A
Plaintiff-Appellee,	:	
	:	<i>JUDGMENT ENTRY.</i>
vs.	:	
ANTHONY PHILPOT,	:	
	:	
Defendant-Appellant.	:	

The court sua sponte removes this cause 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); 1st Dist. Loc.R. 11.1.1.

Defendant-appellant Anthony Philpot's appointed counsel has advised this court that, after a thorough review of the record, he can find nothing that would arguably support Philpot's appeal, and that the appeal is wholly frivolous. See *Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967); see also *Freels v. Hills*, 843 F.2d 958 (6th Cir.1988). Counsel, as required by *Anders*, has communicated this conclusion to Philpot, and has offered Philpot an opportunity to respond and to raise any issues. Counsel has also moved this court for permission to withdraw as counsel. See *Anders* at 744; see also 1st Dist. Loc.R. 16.2(C)(1) and 16.2(D)(2).

Counsel now requests that this court independently examine the record to determine whether the appeal is wholly frivolous. See *Anders* at 744. We have done so,

**OHIO FIRST DISTRICT COURT OF APPEALS**

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and we agree with counsel's conclusion that the proceedings below were free of error prejudicial to Philpot and that no grounds exist to support a meritorious appeal. Therefore, we overrule counsel's motion to withdraw from his representation of Philpot, 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.

Further, a certified copy of this judgment entry shall constitute the mandate, which shall be sent to the trial court under App.R. 27.

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

To the clerk:

Enter upon the journal of the court on February 15, 2023  
per order of the court \_\_\_\_\_.  
Administrative Judge