

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

STATE OF OHIO,	:	APPEAL NO. C-220303
Plaintiff-Appellee,	:	TRIAL NO. B-2200461
vs.	:	<i>JUDGMENT ENTRY.</i>
JULAIID MUGHNI,	:	
Defendant-Appellant.	:	

The court sua sponte removes this case from the regular calendar and places it on the courts 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.

The state indicted defendant-appellant Julaid Mughni on one count of domestic violence in violation of R.C. 2919.25(A), a felony of the third degree, and he eventually pled guilty. At sentencing, the trial court ordered him to serve a one-year term of community control and to stay away from the victim. He now appeals.

Mr. Mughni's counsel advised this court that, after a thorough review of the record, she could find nothing that would arguably support this 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*, communicated this conclusion to Mr. Mughni prior to August 2022, and asked him to raise any issues. To date, Mr. Mughni has not done so. Mr. Mughni'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. Mughni and that no grounds exist to support a meritorious appeal.

A review of this record shows that the trial court complied with all aspects of Crim.R. 11(C) and properly advised Mr. Mughni that he was giving up certain constitutional rights by pleading guilty. The trial court notified Mr. Mughni that he may be placed on postrelease control, explained what that meant, and warned of the additional incarceration he faced if he violated postrelease control or committed a new felony. The court imposed a sentence to which Mr. Mughni agreed, a one-year term of community control.

Therefore, we overrule counsel’s motion to withdraw from her representation of Mr. Mughni, 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.

CROUSE, P.J., ZAYAS and BERGERON, JJ.

To the clerk:

Enter upon the journal of the court on February 1, 2023,
per order of the court_____.

Administrative Judge