# CAPTION: State v. Mitchell

**03-10-23**

APPEAL NO.: C-210623

TRIAL NO.: B-2000233

KEY WORDS: Speedy Trial – Guilty Plea – Ineffective Assistance ­– Cumulative Error

SUMMARY:

Defendant waived his right to a speedy trial by entering a guilty plea.

Defendant’s guilty plea was made knowingly, voluntarily, and intelligently where the trial court strictly complied with the notification requirements of Crim.R. 11(C)(2)(c) and substantially complied with the requirements of Crim.R. 11(C)(2)(a) and (b) and defendant’s alleged confusion as to the nature of his plea was contradicted by the record.

Defendant’s guilty plea to a nonexistent charge under Ohio law was valid because a person may enter a plea to a nonexistent offense as part of the plea-bargaining process.

Defendant’s trial counsel was not ineffective because counsel’s performance was not deficient where counsel recommended a guilty plea to a lesser offense and did not pursue a weak claim of a speedy-trial violation, and where defendant has not shown any prejudice from counsel’s performance.

JUDGMENT: AFFIRMED

JUDGES: Opinion by Crouse, P.J.; Winkler and BOCK, JJ., concur.