# CAPTION: STATE V. CALO-JIMENEZ

**07-26-23**

APPEAL NO.: C-220262

TRIAL NO.: B-2101964

KEY WORDS: SPEEDY TRIAL – SEARCH AND SEIZURE – R.C. 4511.192 – SENTENCING – CUMULATIVE-ERROR DOCTRINE

SUMMARY:

Where defendant consented to his trial date, he waived any claim that his right to a speedy trial was violated.

The trial court did not err in denying defendant's motion to suppress evidence seized during the search of his car where he failed to show that the search warrant was invalid.

The trial court did not err in denying defendant's motion to suppress his breathalyzer test results on the basis that the police did not advise him of his right to refuse a test under R.C. 4511.92 because defendant asserted only a statutory, and not a constitutional violation.

Defendant’s sentence was supported by the record and was not contrary to law.

The cumulative-error doctrine is not applicable where there are not multiple instances of error.

JUDGMENT: affirmed

JUDGES: OPINION by KINSLEY, J.; CROUSE, P.J., and ZAYAS, J., CONCUR.