**CAPTION:** **STATE V. DAVIS**

**12-06-23**

APPEAL NO.: C-230121

TRIAL NO.: B-2103516

KEY WORDS: CRIM.R. 11 – GUILTY PLEA – MAXIMUM PENALTY – SUBSTANTIAL COMPLIANCE – PREJUDICE – POSTRELEASE CONTROL

SUMMARY:

The trial court’s failure to accurately inform defendant that a conviction of R.C. 2911.02(A)(3) carried a mandatory one-to-three-year period of postrelease control constituted a failure to comply with Crim.R. 11(C)(a)(2), and defendant suffered prejudice given that his sentence included a period of postrelease control that exceeded the discretionary two-year period of postrelease control that the trial court conveyed to defendant.

JUDGMENT: REVERSED, PLEA VACATED, AND CAUSE REMANDED

JUDGES: OPINION by BOCK, J.; CROUSE, P.J., and WINKLER, J., CONCUR.