**CAPTION:** **STATE V. WILLIAMS**

**12-22-23**

APPEAL NO.: C-230145

TRIAL NO.: B-2105645

KEY WORDS: TRAFFICKING – R.C. 2925.03(A)(3) – CONSTRUCTIVE POSSESSION – R.C. 2925.01(K) – SUFFICIENCY – MANIFEST WEIGHT – FELONY SENTENCING

SUMMARY:

Defendant’s conviction for marijuana trafficking was supported by sufficient evidence and the manifest weight of the evidence because defendant’s constructive possession of the marijuana was established with evidence showing that the marijuana inside of a vehicle driven by defendant was readily accessible to the driver and officers found other evidence of drug trafficking on defendant’s person, establishing defendant’s knowledge of the marijuana and his ability to exercise dominion and control over it.

R.C. 2953.08(G)(2) does not permit an appellate court to independently weigh the evidence in the record and substitute its judgment for that of the trial court when determining what sentence best reflects compliance with R.C. 2929.11 and 2929.12.

JUDGMENT: AFFIRMED

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