

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

STATE OF OHIO,	:	APPEAL NO. C-230654
	:	TRIAL NO. B-2104688
Plaintiff-Appellee,	:	
vs.	:	<i>JUDGMENT ENTRY.</i>
LIONAL MORELAND,	:	
Defendant-Appellant.	:	

The court sua sponte removes this cause from the regular calendar and places it on the court's accelerated calendar, Loc.R. 11.1(C)(1), and this judgment entry is not an opinion of the court. See Rep.Op.R. 3.1; App.R. 11.1(E); Loc.R. 11.1.

Lional Moreland pled guilty to felonious assault for fracturing multiple ribs of six-year-old R.K. and gross sexual imposition for having sexual contact with R.K. Moreland was sentenced to an indefinite prison term of 8 to 12 years for felonious assault and to 18 months for gross sexual imposition. The sentences were ordered to be served consecutively.

Moreland appeals, and in one assignment of error, he contends that the court failed to make the requisite findings to impose consecutive sentences, and consecutive sentences were not supported by the record. The state concedes the error and agrees that the sentences should be vacated and the cause remanded for a new sentencing hearing. After reviewing the record, we agree and sustain Moreland's assignment of error.

We reverse the judgment of the trial court, vacate the consecutive nature of the sentences, and remand the cause for a new sentencing hearing on that issue.

The court further orders that 1) a copy of this Judgment constitutes the mandate, and
2) the mandate be sent to the trial court for execution under App. R. 27.

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

To the clerk:

Enter upon the Journal of the Court on 7/3/2024 per Order of the Court.

By: _____
Administrative Judge