

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

STATE OF OHIO,	:	APPEAL NOS. C-240440
		C-240441
Plaintiff-Appellee,	:	TRIAL NOS. B-1900586
		B-2102801
vs.	:	
KEITH WILLIAMS,	:	<i>JUDGMENT ENTRY</i>
Defendant-Appellant.	:	

We sua sponte remove this cause from the regular calendar and place 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.

On July 9, 2024, defendant-appellant Keith Williams pleaded guilty to involuntary manslaughter and other felony offenses in the case numbered B-2102801. That same day, Williams pleaded guilty to violating the terms of his community control in the case numbered B-1900586. The trial court imposed an agreed prison term of 20 to 25 years, 6 months in B-2102801 and a consecutive 36-month prison term in B-1900586. In these consolidated appeals, Williams challenges the trial court’s failure to award jail-time credit in B-1900586.

R.C. 2967.191 requires that an incarcerated individual’s prison term be reduced by the total number of days he was “confined for any reason arising out of the offense for which [he] was convicted and sentenced, including confinement in lieu of bail while awaiting trial[.]” It is incumbent upon the trial court to calculate the appropriate number of days of jail-time credit and incorporate those days into the sentencing

OHIO FIRST DISTRICT COURT OF APPEALS

entry. *State v. Bowden*, 2015-Ohio-3740, ¶ 17 (1st Dist.), citing R.C. 2929.19(B)(2)(g) and Adm.Code 5120-2-04(B).

The judgment entry in the case numbered B-2102801 includes jail-time credit of 1,449 days whereas the judgment entry in the case numbered B-1900586 omits any mention of jail-time credit. Typically, where consecutive sentences are imposed, “[j]ail-time credit applied to one prison term gives full credit that is due, because the credit reduces the entire length of the prison sentence.” *State v. Fugate*, 2008-Ohio-856, ¶ 22. However, the record suggests that Williams was held for a number of days *solely* on the unrelated community-control violation in B-1900586 prior to being indicted or arrested in connection with B-2102801. If accurate, he was entitled to an award of jail-time credit for those days in B-1900586. *See State v. Washington*, 2006-Ohio-4790, ¶ 9 (1st Dist.), quoting *State v. Mitchell*, 2005-Ohio-6138, ¶ 8 (6th Dist.) (“after an arrest for a community control violation, any days in confinement count only towards the sentence for the offense for which the community control violation was imposed”). The state concedes the error.

The trial court’s judgment in the case numbered B-1900586 is reversed in part and the cause is remanded for the court to calculate the appropriate number of days of jail-time credit in that case. Because Williams failed to assert any assignments of error in connection with the judgment entered in the case numbered B-2102801, the appeal numbered C-240441 from that judgment is dismissed.

The court further orders that 1) a copy of this Judgment constitutes the mandate, 2) the mandate be sent to the trial court for execution under App.R. 27, and 3) costs shall be taxed under App.R. 24.

KINSLEY, P.J., CROUSE and BOCK, JJ.

OHIO FIRST DISTRICT COURT OF APPEALS

To the clerk:

Enter upon the journal of the court on 1/17/2025 per order of the court.

By: _____
Administrative Judge