

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

STATE OF OHIO,	:	APPEAL NO. C-240599
	:	TRIAL NO. B-2401607
Plaintiff-Appellee,	:	
vs.	:	
	:	<i>JUDGMENT ENTRY</i>
RASHAWN FRANCIS,	:	
Defendant-Appellant.	:	

This court sua sponte removes this cause from the regular calendar and places it on the court’s accelerated calendar, 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.

Defendant-appellant Rashawn Francis appeals the judgment of the Hamilton County Court of Common Pleas following his guilty pleas to one count of strangulation, a felony of the third degree, and one count of gross sexual imposition, also a felony of the third degree. The trial court sentenced Francis to concurrent three-year terms in prison for each offense.

In Francis’s first assignment of error, he argues that the trial court erred by accepting his guilty pleas and finding him guilty of gross sexual imposition and strangulation when the recitation of the facts by the State did not establish proof that he had committed the offenses. Francis’s argument is not well taken. A guilty plea is a complete admission of a defendant’s guilt. Crim.R. 11(B)(1). It relieves the State of its burden of proving beyond a reasonable doubt that the defendant committed an offense, and therefore, a defendant who pleads guilty waives the right to challenge the

**OHIO FIRST DISTRICT COURT OF APPEALS**

---

sufficiency or weight of the evidence on appeal. *See State v. Sweeney*, 2023-Ohio-3854, ¶ 26 (10th Dist.).

In arguing that the State’s recitation of facts did not support his guilt, Francis relies on *State v. Schuster*, 2023-Ohio-3038 (1st Dist.), and *State v. Scudder*, 2025-Ohio-1267 (1st Dist.). *Schuster* and *Scudder* both involved defendants’ no-contest pleas to misdemeanor offenses, rather than guilty pleas to felonies. This is a key distinction because R.C. 2937.07 requires a trial court to hear an explanation of the facts and circumstances prior to making a guilty finding when a defendant pleads no-contest to a misdemeanor. By its plain language, R.C. 2937.07 does not apply to felonies. This court has held as much in determining that *Schuster* does not apply to felony guilty pleas. *See State v. Walker*, 2024-Ohio-6079, ¶ 19 (1st Dist.).

The trial court was not required to hear a recitation of the facts and circumstances prior to accepting Francis’s guilty pleas. We accordingly overrule Francis’s first assignment of error.

In his second assignment of error, Francis argues that the trial court’s aggregate three-year prison sentence was excessive. Specifically, Francis argues that the trial court erred in weighing the sentencing factors in R.C. 2929.11 and 2929.12.

Although Ohio law requires a trial court to consider the principles and purposes of felony sentencing in R.C. 2929.11 and 2929.12 prior to imposing a sentence, “neither R.C. 2929.11 nor 2929.12 requires [the] court to make any specific factual findings on the record[,]” and appellate review of felony sentencing under R.C. 2953.08(G)(2) “does not provide a basis for an appellate court to modify or vacate a sentence based on its view that the sentence is not supported by the record under R.C. 2929.11 and 2929.12.” *State v. Jones*, 2020-Ohio-6729, ¶ 20, 29. In other words, an appellate court is not permitted “to independently weigh the evidence in the record and

**OHIO FIRST DISTRICT COURT OF APPEALS**

---

substitute its judgment for that of the trial court concerning the sentence that best reflects compliance with R.C. 2929.11 and 2929.12.” *Id.* at ¶ 42.

Francis argues that the trial court did not fairly weigh the sentencing factors in R.C. 2929.11 and 2929.12 in imposing a three-year prison term and that the trial court should have sentenced him to community control with sex-offender treatment. Importantly, Francis does not contend that the trial court based its sentence on an impermissible consideration. *See State v. Bryant*, 2022-Ohio-1878, ¶ 22. Nor does Francis argue that his sentence is otherwise “contrary to law” under R.C. 2953.08(G)(2)(b). Thus, Francis’s sentencing challenges are precisely the type of arguments that are unreviewable by this court under R.C. 2953.08(G)(2). *See Jones* at ¶ 42. As a result, we overrule Francis’s second assignment of error.

Having overruled Francis’s assignments of error, we affirm the judgment of the trial court.

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., ZAYAS and NESTOR, JJ.**

**To the clerk:**

**Enter upon the journal of the court on 8/13/2025 per order of the court.**

By:   
**Administrative Judge**