

**IN THE COURT OF APPEALS OF OHIO
SECOND APPELLATE DISTRICT
GREENE COUNTY**

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|---------------------|---|----------------------------------|
| STATE OF OHIO | : | |
| | : | |
| Plaintiff-Appellee | : | Appellate Case No. 2019-CA-63 |
| | : | |
| v. | : | Trial Court Case No. 2018-CR-989 |
| | : | |
| LAWRENCE G. CARNELL | : | (Criminal Appeal from |
| | : | Common Pleas Court) |
| Defendant-Appellant | : | |
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OPINION

Rendered on the 22nd day of May, 2020.

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HALL, J.

{¶ 1} Lawrence G. Carnell appeals from his conviction on one count of aggravated drug possession, a fifth-degree felony. Carnell was charged with aggravated drug possession in December 2018, and he pled guilty to the charge in May 2019. The matter proceeded to a dispositional hearing in September 2019. Carnell indicated he did not want to be screened for drug treatment and wanted to be sent to prison. Under the relevant statutory provisions, however, he was ineligible for a prison sentence. The trial court placed him on community control with the sole sanction being a 253-day local jail sentence.

{¶ 2} In his sole assignment of error, Carnell contends the trial court erred in imposing a community control sentence with a condition that he serve 253 days in jail. Upon our initial review, we noticed that a 253-day jail sentence appeared to be contrary to law in that R.C. 2929.16(A)(2) limits a community control jail sanction to “a term of up to six months in a jail.” See *State v. Poulter*, 2d Dist. Montgomery No. 28492, 2020-Ohio-396, ¶ 4. Apparently as a result of the supplemental briefing, Carnell was released from jail on April 28, 2020. On April 30, 2020, the trial court filed an entry finding that Carnell had successfully completed his community control, terminating community control, and ordering the case closed.

{¶ 3} There is no relief we can provide Carnell regarding his challenge to the length of his now-completed sentence. See, e.g., *State v. Edmonds*, 2d Dist. Montgomery No. 24155, 2011-Ohio-1282, ¶ 10 (“In all cases * * * a defendant’s challenge to his sentence becomes moot once he has completed it.”).

{¶ 4} Carnell’s argument, which only challenges the jail sentence, is moot. This case is dismissed.

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DONOVAN, J. and WELBAUM, J., concur.

Copies sent to:

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Hon. Stephen Wolaver