

THE STATE OF OHIO, APPELLEE, v. CORNELISON, APPELLANT.

[Cite as *State v. Cornelison*, 146 Ohio St.3d 220, 2016-Ohio-2968.]

Criminal law—Felony Sentencing—Standard of review upon appeal of sentence—

R.C. 2953.08(G)(2)—Judgment reversed, and cause remanded for application of State v. Marcum.

(No. 2014-1402—Submitted April 7, 2016—Decided May 17, 2016.)

APPEAL from the Court of Appeals for Lake County,

No. 2013-L-064, 2014-Ohio-2884.

Per Curiam.

{¶ 1} In *State v. Marcum*, ___ Ohio St.3d ___, 2016-Ohio-1002, ___ N.E.3d ___, we held that R.C. 2953.08(G)(2) allows an appellate court to increase, reduce, or otherwise modify a sentence only when it clearly and convincingly finds that the sentence is (1) contrary to law and/or (2) unsupported by the record. *Id.* at ¶ 7.

{¶ 2} The judgment of the court of appeals in the instant case is reversed, and the cause is remanded to the court of appeals for application of *Marcum*.

O’CONNOR, C.J., and PFEIFER, O’DONNELL, LANZINGER, KENNEDY, FRENCH, and O’NEILL, JJ., concur.

Charles E. Coulson, Lake County Prosecuting Attorney, and Alana A. Rezaee, Assistant Prosecuting Attorney, for appellee.

Derek Cek, for appellant.
