

IN THE COURT OF APPEALS OF OHIO

TENTH APPELLATE DISTRICT

State of Ohio,	:	
	:	
Plaintiff-Appellee,	:	
	:	
v.	:	No. 16AP-634
	:	(C.P.C. No. 09CR-5367)
Victor L. Brown,	:	
	:	(ACCELERATED CALENDAR)
Defendant-Appellant.	:	

D E C I S I O N

Rendered on January 10, 2017

On brief: *Ron O'Brien*, Prosecuting Attorney, and *Steven L. Taylor*, for appellee.

On brief: *Victor L. Brown*, pro se.

APPEAL from the Franklin County Court of Common Pleas

TYACK, P.J.

{¶ 1} Victor L. Brown is appealing from the trial court's refusal to order that the court costs be refunded which he paid in a criminal case in which he was the defendant. The State of Ohio has filed a brief in which it states that the costs should, in fact, be refunded to Brown.

{¶ 2} We, therefore, sustain Brown's sole assignment of error which reads:

The trial court has refused to follow the mandate of the Tenth District Court of Appeals when it directed the court to proceed in accordance of law that dismissed defendant's conviction and sentence but did not dismiss the fines associated with the conviction in contravention to law.

{¶ 3} Accordingly, we reverse the judgment of the trial court and enter judgment compelling the refunding of the court costs in the amount of \$138.57 collected in Brown's

case in which his conviction was vacated and in which his case was subsequently dismissed.

*Judgment reversed;
Judgment entered for appellant.*

BROWN and HORTON, JJ., concur.
