

[Cite as *State v. Chattams*, 2004-Ohio-1865.]

IN THE COURT OF APPEALS
TWELFTH APPELLATE DISTRICT OF OHIO
BUTLER COUNTY

STATE OF OHIO, :
 :
 Plaintiff-Appellee, : CASE NO. CA2003-05-125
 :
 - vs - : D E C I S I O N
 : 4/12/2004
 :
 D'ANTHONY L. CHATTAMS, :
 :
 Defendant-Appellant. :

CRIMINAL APPEAL FROM BUTLER COUNTY COURT OF COMMON PLEAS
Case No. CR98-11-1413

Robin N. Piper, Butler County Prosecuting Attorney, Randi E. Froug,
Government Services Center, 315 High Street, 11th Fl., Hamilton,
Ohio 45011, for plaintiff-appellee

Diehl & Demos, LLP, Martin E. Hubbell, 304 East Warren Street,
Lebanon, Ohio 45036, for defendant-appellant

D'Anthony L. Chattams, #439-818, Chillicothe Correctional
Institution, P.O. Box 5500, Chillicothe, Ohio 45601, pro se

Per Curiam.

{¶1} This cause came on to be considered upon a notice of
appeal, the transcript of the docket and journal entries, the
transcript of proceedings and original papers from the Butler

County Court of Common Pleas, and upon a brief filed by appellant's counsel and the pro se brief of appellant, D'Anthony L. Chattams, oral argument having been waived.

{¶2} Counsel for appellant has filed a brief with this court pursuant to Anders v. California (1967), 386 U.S. 738, 87 S.Ct. 1396, which (1) indicates that a careful review of the record from the proceedings below fails to disclose any errors by the trial court prejudicial to the rights of appellant upon which an assignment of error may be predicated; (2) lists one potential error "that might arguably support the appeal," Anders at 744, 87 S.Ct. at 1400; (3) requests that this court review the record independently to determine whether the proceedings are free from prejudicial error and without infringement of appellant's constitutional rights; (4) requests permission to withdraw as counsel for appellant on the basis that the appeal is wholly frivolous; and (5) certifies that a copy of both the brief and motion to withdraw have been served upon appellant.

{¶3} Appellant has filed a pro se brief raising an assignment of error pertaining the denial of due process. We have accordingly examined the record, the potential assignment of error presented in counsel's brief and the assignment of error in appellant's pro se brief and find no error prejudicial to appellant's rights in the proceedings in the trial court. Therefore, the motion of counsel for appellant requesting to withdraw as counsel is granted, and this appeal is dismissed for the reason that it is wholly frivolous.

YOUNG, P.J., POWELL and WALSH, JJ., concur.

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