IN THE COURT OF APPEALS FOR MONTGOMERY COUNTY, OHIO STATE OF OHIO Plaintiff-Appellee : C.A. CASE NO. 19611 T.C. NO. 2002 CR 1272 v. HARVEY L. JONES (Criminal Appeal from : Common Pleas Court) Defendant-Appellant **OPINION** Rendered on the <u>12th</u> day of <u>September</u>, 2003. CARLEY J. INGRAM, Atty. Reg. No. 0020084, Assistant Prosecuting Attorney, 301 W. Third Street, 5th Floor, Dayton, Ohio 45422 Attorney for Plaintiff-Appellee DANIEL E. BRINKMAN, Atty. Reg. No. 0025365, Suite 2000 Liberty Tower, 120 West Second Street, Dayton, Ohio 45402 Attorney for Defendant-Appellant HARVEY L. JONES, #A-436825, Madison Correctional Institution, P. O. Box 740, London, Ohio 43140 **Defendant-Appellant**

WOLFF, J.

{¶1} Harvey L. Jones was sentenced to concurrent sentences of ten years and

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eight years on charges of aggravated burglary and attempted rape to which he had

previously pleaded guilty. Jones' pleas of guilty were the result of plea negotiations

wherein a number of other serious felony charges were dismissed.

{¶2} Counsel was appointed to prosecute an appeal for Jones and on June 2,

2003, appointed appellate counsel filed an Anders brief pursuant to Anders v. California

(1967), 386 U.S. 738. Appointed appellate counsel represented in his *Anders* brief that

he could find no potentially meritorious issues to raise on appeal.

{¶3} On June 3, 2003, by decision and entry served upon Jones, we informed

him of the fact that his counsel had filed an *Anders* brief, the significance of an *Anders*

brief, and we invited Jones to file a pro se brief with this court within sixty days of June

3, 2003.

{¶4} Jones has filed nothing with this court. Pursuant to our responsibilities

under Anders, we have examined the entire record and have concluded as did

appointed appellate counsel that there are no potentially meritorious issues upon which

appellate relief might be granted. Accordingly, the judgment appealed from will be

affirmed.

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GRADY, J. and YOUNG, J., concur.

Copies mailed to:

Carley J. Ingram

Daniel E. Brinkman

Harvey L. Jones

Hon. A. J. Wagner