

IN THE COURT OF APPEALS FOR MONTGOMERY COUNTY, OHIO

STATE OF OHIO	:	
Plaintiff-Appellee	:	C.A. CASE NO. 22734
v.	:	T.C. NO. 2007 CR 4678
BRYON J. NAPIER	:	(Criminal appeal from Common Pleas Court)
Defendant-Appellant	:	

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**OPINION**

Rendered on the 3<sup>rd</sup> day of October, 2008.

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CARLEY J. INGRAM, Atty. Reg. No. 0020084, Assistant Prosecuting Attorney, 301 W. Third Street, 5<sup>th</sup> Floor, Dayton, Ohio 45422  
Attorney for Plaintiff-Appellee

BEN M. SWIFT, Atty. Reg. No. 0065745, Suite 445, 333 W. First Street, Dayton, Ohio 45402  
Attorney for Defendant-Appellant

BRYON J. NAPIER, #A576-540, Lebanon Correctional Institute, P. O. Box 56, Lebanon, Ohio 45036  
Defendant-Appellant

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WOLFF, P.J.

**{¶1}** On March 5, 2008 Defendant-Appellant Bryon Napier pleaded no contest to one count each of possession of cocaine, trafficking in cocaine, and having a weapon under disability, and he was sentenced on April 2, 2008 to a total of three

years in prison.

{¶2} Napier filed a timely notice of appeal. On June 30, 2008 his appellate counsel filed a brief pursuant to *Anders v. California* (1967), 386 U.S. 738, 87 S.Ct. 1396, stating that after thoroughly examining the record and the law, he found no potentially meritorious issues for appeal.

{¶3} On July 2, 2008 we informed Napier that his counsel had filed an *Anders* brief on his behalf and of the significance of an *Anders* brief. We granted Napier sixty days from that date to file a pro se brief with assignments of error if he so desired. No pro se brief was filed.

{¶4} We have thoroughly examined the record of the proceedings in this case as required by *Anders*, and we agree with the assessment of appellate counsel that there are no meritorious issues for appellate review. The judgment appealed from will be affirmed.

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GRADY, J. and DONOVAN, J., concur.

Copies mailed to:

Carley J. Ingram  
Ben M. Swift  
Bryon J. Napier  
Hon. Jeffrey E. Froelich