

[Cite as *State v. Whitehead*, 2010-Ohio-2929.]

IN THE COURT OF APPEALS OF CLARK COUNTY, OHIO

STATE OF OHIO :
Plaintiff-Appellee : C.A. CASE NO. 09CA0055
vs. : T.C. CASE NO. 09CR0222
WAYLAND E. WHITEHEAD : (Criminal Appeal from
Common Pleas Court)
Defendant-Appellant :

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O P I N I O N

Rendered on the 25th day of June, 2010.

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Stephen Schumaker, Pros. Attorney, 50 East Columbia Street,
Springfield, OH 45502
Attorney for Plaintiff-Appellee

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GRADY, J.:

{¶ 1} Defendant, Wayland Whitehead, entered a negotiated guilty plea to one count of child endangering, R.C. 2919.22(B)(1), and an attached specification that the violation resulted in serious physical harm to the child. R.C. 2919.22(E)(2)(d). In exchange, the State dismissed other charges on which Whitehead was indicted. The trial court sentenced Defendant to eight years

in prison.

{¶2} Defendant appealed to this court from his conviction and sentence. Defendant's appellate counsel filed an *Anders* brief, *Anders v. California* (1967), 386 U.S. 738, 87 S.Ct. 1396, 19 L.Ed.2d 493, stating that he could find no meritorious issues for appellate review. We notified Defendant of his appellate counsel's representations and afforded him ample time to file a pro se brief. None has been received. This case is now before us for our independent review of the record. *Penon v. Ohio* (1988), 488 U.S. 75, 109 S.Ct. 346, 102 L.Ed.2d 300.

{¶3} Defendant's appellate counsel has not identified any possible issues for appeal. Counsel has requested that this court conduct an independent review of the record to determine if there are any arguable issues for appeal.

{¶4} We have conducted an independent review of the trial court's proceedings and have found no error having arguable merit.

Accordingly, Defendant's appeal is without merit and the judgment of the trial court will be affirmed.

DONOVAN, P.J. And BROGAN, J., concur.

Copies mailed to:

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Christopher A. Deal, Esq.
Wayland E. Whitehead
Hon. Douglas M. Rastatter