

IN THE COURT OF APPEALS OF OHIO
SIXTH APPELLATE DISTRICT
HURON COUNTY

State of Ohio

Court of Appeals No. H-11-013

Appellee

Trial Court No. CRI-2010-0945

v.

Marc Barnett

DECISION AND JUDGMENT

Appellant

Decided: September 21, 2012

* * * * *

John D. Allton, for appellant.

* * * * *

HANDWORK, J.

{¶ 1} This appeal is from the August 3, 2011 judgment of the Huron County Court of Common Pleas, which sentenced appellant, Marc Barnett, after he was convicted by a jury of three counts of trafficking in marijuana, all violations of R.C. 2925.03(A)(1) and (C)(3)(a).

{¶ 2} Pursuant to the guidelines set forth in *Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967), appellant's court appointed counsel has filed an

appellate brief and motion to withdraw as counsel. He mailed a copy of the brief and motion to appellant and informed him that he had a right to file his own brief, but he did not do so.

{¶ 3} Appellant's counsel states in his motion that he thoroughly reviewed the record in this case and concluded that the trial court did not commit any error prejudicial to appellant. However, in compliance with the requirements of *Anders, supra*, appellant's counsel has submitted a brief in which he states there are no arguable errors in this case and an appeal would be frivolous.

{¶ 4} This court has the obligation to fully examine the record in this case to determine whether an appeal would be frivolous. *Anders, supra*, at 744. Our review of the record does not disclose any errors by the trial court which would justify a reversal of the judgment.

{¶ 5} Therefore, we find this appeal to be wholly frivolous. Counsel's request to withdraw as appellate counsel is found well-taken and is hereby granted. Having found that the trial court did not commit error prejudicial to appellant, the judgment of the Huron County Court of Common Pleas is affirmed. Pursuant to App.R. 24, appellant is hereby ordered to pay the court costs incurred on appeal.

Judgment affirmed.

A certified copy of this entry shall constitute the mandate pursuant to App.R. 27. *See also* 6th Dist.Loc.App.R. 4.

Peter M. Handwork, J.

JUDGE

Mark L. Pietrykowski, J.

JUDGE

Stephen A. Yarbrough, J.
CONCUR.

JUDGE

<p>This decision is subject to further editing by the Supreme Court of Ohio's Reporter of Decisions. Parties interested in viewing the final reported version are advised to visit the Ohio Supreme Court's web site at: http://www.sconet.state.oh.us/rod/newpdf/?source=6.</p>
