

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

State of Ohio

Court of Appeals No. S-16-009

Appellee

Trial Court No. CRB 1500906 A

v.

Gary L. Pugh, Jr.

DECISION AND JUDGMENT

Appellant

Decided: September 9, 2016

* * * * *

Brett A. Klimkowsky, for appellant.

* * * * *

PIETRYKOWSKI, J.

{¶ 1} Defendant-appellant, Gary L. Pugh, Jr., appeals the February 9, 2016 judgment of the Fremont Municipal Court which, following his guilty plea to resisting arrest, sentenced him to 30 days in jail to be served consecutively to a three-day sentence on an OVI conviction. Appellant was also required to pay various fines.

{¶ 2} The relevant facts of this case are as follows. On November 28, 2015, appellant was charged with resisting arrest, obstructing official business, and drug abuse. The charges stemmed from a stop of appellant's vehicle, observation of marijuana, and a physical confrontation with the officers effectuating his arrest.

{¶ 3} On January 7, 2016, appellant entered a guilty plea to resisting arrest; the remaining charges were dismissed. Appellant was sentenced and this appeal followed.

{¶ 4} Appellant has appealed the conviction and sentence to this court through appointed counsel. Appellant's counsel advises the court, however, under procedures announced in *Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967), that he has thoroughly examined the record, discussed the case with appellant, and is unable to find meritorious grounds for appeal. Following *Anders* and 6th Dist.Loc.App.R. 10(G), appellate counsel filed a brief stating that he can find no arguable errors and requesting that the court independently examine the record for error. Counsel notified appellant of his inability to find meritorious grounds for appeal and provided appellant with copies of both the *Anders* brief and his motion to withdraw. Counsel advised appellant of his right to file his own appellate brief. Counsel has also filed a motion to withdraw as counsel. Appellant has not filed an additional brief

{¶ 5} Upon review of appellant's counsel's no-error brief and upon independent review of the record of the proceedings below, we conclude that this appeal lacks any issue of arguable merit and is, therefore, wholly frivolous. We grant the motion of

appellant's counsel to withdraw as counsel in this appeal and affirm the judgment of the Fremont Municipal Court. Pursuant to App.R. 24, appellant is ordered to pay the costs in this appeal. The clerk is ordered to serve all parties with notice of this decision.

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.

Mark L. Pietrykowski, J.

JUDGE

Arlene Singer, J.

JUDGE

James D. Jensen, P.J.
CONCUR.

JUDGE