

[Cite as *State v. Chandler*, 2003-Ohio-3380.]

COURT OF APPEALS OF OHIO, EIGHTH DISTRICT

COUNTY OF CUYAHOGA

NO. 82127

STATE OF OHIO,	:	
	:	
Plaintiff-Appellee	:	JOURNAL ENTRY
	:	and
vs.	:	OPINION
	:	
ALEX CHANDLER,	:	
	:	
Defendant-Appellant	:	

DATE OF ANNOUNCEMENT	:	
OF DECISION	:	JUNE 26, 2003

CHARACTER OF PROCEEDING:	:	Criminal appeal from
	:	Common Pleas Court
	:	Case No. CR-417197

JUDGMENT	:	REVERSED AND REMANDED
	:	FOR RESENTENCING.

DATE OF JOURNALIZATION	:	
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APPEARANCES:

For plaintiff-appellee:	William D. Mason, Esq.
	Cuyahoga County Prosecutor
	BY: Brendan J. Mackin, Esq.
	Assistant County Prosecutor
	The Justice Center - 8 <sup>th</sup> Floor
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	Cleveland, Ohio 44113

For defendant-appellant:	Paul Mancino, Jr.
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	Suite 1016
	Cleveland, Ohio 44113

MICHAEL J. CORRIGAN, P.J.:

{¶1} Defendant Alex Chandler appeals from his sentences for failing to comply with an order or signal from a police officer and possession of drugs. The court sentenced Chandler on the failure to comply charge without citing to any of the sentencing factors set forth in R.C. 2921.331(C). As for the possession charge, the court failed to state any reasons to impose a prison term as required by R.C. 2929.11, other than to note that Chandler had five prior convictions. The state concedes both assignments of error. Our review convinces us that the state's concession is justified. We therefore sustain the assigned errors.

**Reversed and remanded for resentencing.**

This cause is reversed and remanded for resentencing for proceedings consistent with this opinion.

It is, therefore, ordered that said appellant recover of said appellee his costs herein taxed.

It is ordered that a special mandate be sent to said court to carry this judgment into execution.

A certified copy of this entry shall constitute the mandate pursuant to Rule 27 of the Rules of Appellate Procedure.

MICHAEL J. CORRIGAN  
PRESIDING JUDGE

TIMOTHY E. McMONAGLE, J., and

SEAN C. GALLAGHER, J., CONCUR.

N.B. This entry is an announcement of the court's decision. See App.R. 22(B), 22(D) and 26(A); Loc.App.R. 22. This decision will be journalized and will become the judgment and order of the court pursuant to App.R.22(E) unless a motion for reconsideration with supporting brief, per App.R. 26(A), is filed within ten (10) days of the announcement of the court's decision. The time period for review by the Supreme Court of Ohio shall begin to run upon the journalization of this court's announcement of decision by the clerk per App.R. 22(E). See, also, S.Ct.Prac.R. II, Section 2(A)(1). and remand for resentencing.