

[Cite as *State v. Woodland*, 2014-Ohio-4477.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 101118

STATE OF OHIO

PLAINTIFF-APPELLEE

vs.

DAESHAYVONNE WOODLAND

DEFENDANT-APPELLANT

JUDGMENT:
REVERSED AND REMANDED

Criminal Appeal from the
Cuyahoga County Court of Common Pleas
Case No. CR-13-578335-B

BEFORE: Stewart, J., McCormack, P.J., and E.T. Gallagher, J.

RELEASED AND JOURNALIZED: October 9, 2014

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MELODY J. STEWART, J.:

{¶1} Defendant-appellant Daeshayvonne Woodland pleaded guilty to one count of murder with a firearm specification. During sentencing, the court stated “I’ll waive fines and costs.” The sentencing entry, however, stated “the court hereby enters judgment against the defendant in an amount equal to the costs of this prosecution.” Woodland’s sole assignment of error on appeal is that the court erred by issuing a sentencing entry requiring her to pay court costs.

{¶2} The state concedes that the sentencing entry requiring Woodland to pay court costs was a clerical error. We agree. The sentencing transcript makes it clear that the court intended to waive costs. We therefore sustain the assignment of error and remand with instructions for the court to issue a nunc pro tunc entry to make the sentencing entry reflect what occurred during sentencing. *See State v. Qualls*, 131 Ohio St.3d 499, 2012-Ohio-1111, 967 N.E.2d 718, ¶ 13.

{¶3} This cause is reversed and remanded to the trial court for further proceedings consistent with this opinion.

It is ordered that appellant recover of appellee her costs herein taxed.

The court finds there were reasonable grounds for this appeal.

It is ordered that a special mandate issue out of this court directing the Cuyahoga County Court of Common Pleas 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.

MELODY J. STEWART, JUDGE

TIM McCORMACK, P.J., and
EILEEN T. GALLAGHER, J., CONCUR