

[Cite as *State v. Tate*, 2015-Ohio-5260.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
Nos. 102776 and 102777

STATE OF OHIO

PLAINTIFF-APPELLEE

vs.

CHARLES TATE

DEFENDANT-APPELLANT

JUDGMENT:
AFFIRMED

Criminal Appeal from the
Cuyahoga County Court of Common Pleas
Case Nos. CR-14-589900-A and CR-14-589901-A

BEFORE: S. Gallagher, J., Keough, P.J., and McCormack, J.

RELEASED AND JOURNALIZED: December 17, 2015

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SEAN C. GALLAGHER, J.:

{¶1} Charles Tate appeals his conviction in Cuyahoga C.P. Nos. CR-14-589900-A and CR-14-589901-A, claiming that the trial court erred by imposing consecutive sentences without making the required findings pursuant to R.C. 2929.14(C)(4). In both cases, at a hearing also resolving three other cases involving Tate and for which no appeals were filed, Tate pleaded guilty to two counts of domestic violence, felonies of the fourth degree. The trial court imposed a 16-month term of imprisonment on one count and a 12-month term on the other, to be served concurrently. In the final sentencing entry, the trial court noted that the prison term in Cuyahoga C.P. No. CR-14-586700-A, not the subject of the current appeal, would be served consecutive to the current two cases.

{¶2} We summarily overrule Tate's sole assigned error challenging the imposition of consecutive sentences in CR-14-589900-A and CR-14-589901-A. No consecutive prison sentence was imposed in the current two appealed cases. The trial court ordered the prison sentence in CR-14-586700-A to be served consecutive to the concurrent sentences in CR-14-589900-A and CR-14-589901-A. Any challenge to the imposition of consecutive service lies in CR-14-586700-A. *State v. Nordstrom*, 8th Dist. Cuyahoga No. 101656, 2015-Ohio-1453, ¶ 28. Tate has not appealed that final sentence, and therefore, we must overrule the assigned error. Tate's conviction is affirmed.

It is ordered that appellee recover from appellant 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 common pleas court to carry this judgment into execution. The defendant's conviction having been affirmed, any bail pending appeal is terminated. Case remanded to the trial court for execution of sentence.

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

SEAN C. GALLAGHER, JUDGE

KATHLEEN ANN KEOUGH, P.J., and
TIM McCORMACK, J., CONCUR