

[Cite as *State v. Peterson*, 2016-Ohio-920.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 102532

STATE OF OHIO

PLAINTIFF-APPELLEE

vs.

KEBLELIN PETERSON

DEFENDANT-APPELLANT

**JUDGMENT:
DISMISSED**

Criminal Appeal from the
Cuyahoga County Court of Common Pleas
Case No. CR-13-574157-A

BEFORE: E.A. Gallagher, P.J., Celebrezze, J., and S. Gallagher, J.

RELEASED AND JOURNALIZED: March 10, 2016

ATTORNEY FOR APPELLANT

Robert A. Dixon
4403 St. Clair Avenue
Cleveland, Ohio 44103

ALSO LISTED

Keblelin Peterson
Inmate No. A663540
Mansfield Correctional Institution
P.O. Box 788
Mansfield, Ohio 44901

ATTORNEY FOR APPELLEE

Timothy J. McGinty
Cuyahoga County Prosecutor
Justice Center, 9th Floor
1200 Ontario Street
Cleveland, Ohio 44113

EILEEN A. GALLAGHER, P.J.:

{¶1} Defendant-appellant Keblelin Peterson appeals the sentence following his guilty plea to one count of involuntary manslaughter in the Cuyahoga County Court of Common Pleas.

{¶2} Peterson’s appointed counsel on appeal filed a brief with this court pursuant to *Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967). An *Anders* brief “sets forth a procedure for ensuring that an indigent defendant’s right to counsel on appeal is honored when his attorney asserts that the appeal is without merit” and asks to withdraw from the case. *State v. Taylor*, 8th Dist. Cuyahoga No. 101368, 2015-Ohio-420, ¶ 6.

{¶3} On June 22, 2015, we issued an order finding that the record on appeal was incomplete at the time that the *Anders* brief was filed due to Peterson’s original appellate counsel limiting his review to sentencing issues and neglecting to examine potential errors from Peterson’s plea hearing. Therefore, we ordered the record to be supplemented with the plea transcript, granted Peterson’s original appellate counsel’s motion to withdraw and appointed new counsel to represent him pursuant to Loc.App.R. 46.

{¶4} On September 28, 2015, Peterson’s second appellate counsel filed a second *Anders* brief after reviewing the entire record. In his *Anders* brief, Peterson’s counsel identified the relevant law and facts and demonstrated why these potential assignments are frivolous.

{¶5} We granted Peterson’s counsel’s motion to withdraw and provided Peterson an opportunity to file a pro se brief with assignments of error by December 31, 2015. Appellant has not filed a pro se brief, to date.

{¶6} After a thorough, independent review of the record, we find no arguable merit in any of the potential assignments of error proffered by Peterson’s appellate counsel and conclude that the appeal is wholly frivolous under *Anders*.

{¶7} We therefore dismiss the appeal.

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

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

EILEEN A. GALLAGHER, PRESIDING JUDGE

SEAN C. GALLAGHER, J., and
FRANK D. CELEBREZZE, JR., J., CONCUR