

# IN THE COURT OF APPEALS OF OHIO

SEVENTH APPELLATE DISTRICT  
BELMONT COUNTY

STATE OF OHIO,

Plaintiff-Appellee,

v.

DONALD THOMAS BOYD,

Defendant-Appellant.

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## OPINION AND JUDGMENT ENTRY Case No. 21 BE 0048

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Appellant's Limited Motion for Reconsideration

### BEFORE:

Cheryl L. Waite, Carol Ann Robb, Mark A. Hanni, Judges.

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### JUDGMENT:

Moot.

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*Atty. J. Kevin Flanagan*, Belmont County Prosecutor and *Atty. Jacob A. Manning*, Assistant Prosecuting Attorney, 52160 National Road, St. Clairsville, Ohio 43950, for Plaintiff-Appellee

*Atty. Brian A. Smith*, Brian A. Smith Law Firm, LLC, 123 South Miller Road, Suite 250, Fairlawn, Ohio 44333, for Defendant-Appellant.

Dated: June 30, 2023

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**PER CURIAM**

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{¶1} Appellant Donald Thomas Boyd filed a limited motion for reconsideration of our Opinion in *State v. Boyd*, 7th Dist. Belmont No. 21 BE 0048, 2023-Ohio-1120. Appellant challenges the remedy for the trial court’s failure to properly impose a sentence consistent with the Reagan Tokes Act. However, the trial court has already corrected the error by ordering a limited resentencing hearing. Thus, this matter is moot.

**JUDGE CHERYL L. WAITE**

**JUDGE CAROL ANN ROBB**

**JUDGE MARK A. HANNI**

**NOTICE TO COUNSEL**

**This document constitutes a final judgment entry.**

[Cite as *State v. Boyd*, 2023-Ohio-2369.]