

COURT OF APPEALS OF OHIO

**EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA**

STATE OF OHIO, :
 :
 Plaintiff-Appellee, :
 : No. 110823
 v. :
 :
 JARED CAMBRIA, :
 :
 Defendant-Appellant. :

JOURNAL ENTRY AND OPINION

JUDGMENT: AFFIRMED
RELEASED AND JOURNALIZED: March 17, 2022

Criminal Appeal from the Cuyahoga County Court of Common Pleas
Case Nos. CR-21-658588-A, CR-21-659405-A, and CR-21-659415-A

Appearances:

Michael C. O'Malley, Cuyahoga County Prosecuting
Attorney, and Jamielle Lamson-Buscho, Assistant
Prosecuting Attorney, *for appellee*.

Cullen Sweeney, Cuyahoga County Public Defender, and
Robert B. McCaleb, Assistant Public Defender, *for
appellant*.

MICHELLE J. SHEEHAN, J.:

{¶ 1} Appellant Jared Cambria appeals the indefinite prison sentences the
trial court imposed upon him in his criminal cases. Because this court held in *State*

v. Delvallie, 8th Dist. Cuyahoga No. 109315, 2022-Ohio-470 (en banc), that the Reagan Tokes Law as defined under R.C. 2901.011 does not violate a defendant's right to due process or right to a jury trial and does not violate the doctrine of separation of powers, we affirm Cambria's convictions.

{¶ 2} On August 11, 2021, Cambria entered into a plea agreement with the state of Ohio and entered pleas of guilt in three cases. In Cuyahoga C.P. No. CR-21-659405-A, Cambria plead guilty to one count of aggravated robbery, a felony of the first degree with a one-year firearm specification and to one count of theft, a felony of the fourth degree. In Cuyahoga C.P. No. CR-21-659415-A, Cambria plead guilty to one count of robbery, a felony of the second degree, with a one-year firearm specification and one count of improperly handling of a firearm in a motor vehicle, a felony of the fourth degree. In Cuyahoga C.P. No. CR-21-658588-A, Cambria plead guilty to one count of robbery, a felony of the second degree with a three-year firearm specification, to one count of attempted theft, a felony of the fifth degree, and to one count of having a weapon while under a disability, a felony of the third degree.

{¶ 3} On August 19, 2021, the trial court imposed a sentence of an aggregate term of 4 years' imprisonment for the gun specifications to be served prior to and consecutive to all other sentences. It then imposed a sentence of 3 to 4 ½ years for each of the aggravated robbery and robbery counts and 1-year sentences on each remaining felony count, ordering these sentences to be served concurrently. In total, the trial court imposed an aggregate prison sentence of 7 to 8 ½ years.

{¶ 4} Cambria raises one assignment of error in this appeal, “The trial court violated Jared Cambria’s constitutional rights by imposing a Reagan-Tokes Sentence, under S.B. 201.” Cambria argues that the Reagan Tokes Law violates his right to due process, his right to a jury trial, and that the law violates the doctrine of separation of powers. In *Delvallie, supra*, this court sitting en banc overruled the arguments Cambria presents in this appeal. As such, Cambria’s assignment of error is overruled.

{¶ 5} Judgment affirmed.

It is ordered that appellee recover of 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.

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

MICHELLE J. SHEEHAN, JUDGE

KATHLEEN ANN KEOUGH, P.J., and
JAMES A. BROGAN, J.,* CONCUR

(*Sitting by assignment: James A. Brogan, J., retired, of the Second District Court of Appeals.)