

IN THE COURT OF APPEALS OF OHIO
SIXTH APPELLATE DISTRICT
WILLIAMS COUNTY

State of Ohio

Court of Appeals No. WM-08-005

Appellee

Trial Court No. 07-CR-071

v.

Noah A. Snyder

DECISION AND JUDGMENT ENTRY

Appellant

Decided: January 9, 2009

* * * * *

Thomas A. Thompson, Williams County Prosecuting Attorney,
for appellee.

Maria Santo, for appellant.

* * * * *

HANDWORK, J.

{¶ 1} This appeal is from the January 25, 2008 judgment of the Williams County Court of Common Pleas, which sentenced appellant, Noah A. Snyder, following his jury conviction of violating R.C. 2903.11(A), felonious assault. Upon consideration of the assignments of error, we affirm the decision of the lower court. Appellant asserts the following assignments of error on appeal:

{¶ 2} "ASSIGNMENT OF ERROR I: TRIAL COUNSEL VIOLATED THE RULES OF PROFESSIONAL CONDUCT BY HIS DUAL REPRESENTATION OF APPELLANT AND CO-APPELLANT.

{¶ 3} "ASSIGNMENT OF ERROR II: THE ADMISSION OF THE DENTAL RECORDS WAS AN ERROR OF LAW AND PLAIN ERROR.

{¶ 4} "ASSIGNMENT OF ERROR III: THE CONVICTION OF FELONIOUS ASSAULT IS AGAINST THE MANIFEST WEIGHT OF THE EVIDENCE AND THE SUFFICIENCY OF THE EVIDENCE.

{¶ 5} "ASSIGNMENT OF ERROR IV: THE APPELLANT WAS DENIED EFFECTIVE ASSISTANCE OF COUNSEL AS GUARANTEED UNDER THE SIXTH AMENDMENT TO THE UNITED STATES CONSTITUTION."

{¶ 6} Appellant was indicted on June 20, 2007 by a grand jury on charges of felonious assault, a violation of R.C. 2903.11(A)(1), and vandalism, a violation of R.C. 2909.05(A). The incident giving rise to the charges involved a fight between appellant, his father, Randall D. Snyder, and the victim, Quinn Michael. Appellant and his father, were tried jointly. The evidence presented at trial was summarized in *State v. Snyder*, 6th Dist. WM-08-004, 2008-Ohio-____. Appellant's assignments of error are identical to those raised by his father. Therefore, based upon our holding in *State v. Snyder*, 6th Dist. WM-08-004, 2008-Ohio-____, each of appellant's assignments of error is found not well-taken.

{¶ 7} Having found that the trial court did not commit error prejudicial to appellant, the judgment of the Williams County Court of Common Pleas is affirmed. Appellant is ordered to pay the costs of this appeal pursuant to App.R. 24. Judgment for the clerk's expense incurred in preparation of the record, fees allowed by law, and the fee for filing the appeal is awarded to Williams County.

JUDGMENT AFFIRMED.

A certified copy of this entry shall constitute the mandate pursuant to App.R. 27. See, also, 6th Dist.Loc.App.R. 4.

Peter M. Handwork, J.

JUDGE

Mark L. Pietrykowski, J.

JUDGE

William J. Skow, P.J.
CONCUR.

JUDGE

This decision is subject to further editing by the Supreme Court of Ohio's Reporter of Decisions. Parties interested in viewing the final reported version are advised to visit the Ohio Supreme Court's web site at:
<http://www.sconet.state.oh.us/rod/newpdf/?source=6>.