

[Cite as *State v. Rogan*, 2005-Ohio-1911.]

IN THE COURT OF APPEALS FOR CHAMPAIGN COUNTY, OHIO

STATE OF OHIO	:	
Plaintiff-Appellee	:	C.A. CASE NO. 2004 CA 10
v.	:	T.C. NO. 2003-CR-202
BRADLEY ROGAN	:	(Criminal Appeal from Common Pleas Court)
Defendant-Appellant	:	
	:	

OPINION

Rendered on the 15th day of April, 2005.

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WOLFF, J.

{¶ 1} Bradley Rogan entered pleas of guilty to two fourth degree felonies, two fifth degree felonies, and on first degree misdemeanor. He was sentenced to concurrent sentences of seventeen months on the fourth degree felonies, eleven months on the fifth degree felonies, and six months on the first degree misdemeanor.

{¶ 2} Rogan assigns error as follows:

{¶ 3} “THE TRIAL COURT VIOLATED DEFENDANT’S RIGHT TO DUE PROCESS OF LAW UNDER BOTH THE U.S. AND THE OHIO CONSTITUTIONS BY SENTENCING DEFENDANT TO MORE THAN THE MINIMUM TIME IN PRISON WITHOUT SPECIFICALLY STATING WHY.”

{¶ 4} The felony sentences are not minimum sentences. In sentencing Rogan, the court stated:

{¶ 5} “The shortest term is not imposed because the shortest term demeans the seriousness of the offenses and does not adequately protect the public.”

{¶ 6} Rogan concedes that this pronouncement satisfied R.C. 2929.14(B)(2) and *State v. Edmundson* (1999), 86 Ohio St.3d 324. Nevertheless, Rogan asserts that due process entitled him to a “meaningful analysis” of why the shortest term would demean the seriousness of the offense and would not adequately protect the public. He suggests that we revisit *Edmundson*.

{¶ 7} Rogan’s assertion that due process requires “meaningful analysis” of the trial court’s statutory findings is entirely conclusory and unpersuasive.

{¶ 8} Rogan was informed of the sentencing ranges by the statutes in question and by the trial court when he entered his guilty pleas. At sentencing, he and his attorney addressed the trial court before sentence was pronounced. As the State observes, citing *Luff v. State* (1917), 117 Ohio St. 102, syllabus, para. 4, “(d)ue process of law involves only the essential rights of notice, hearing or opportunity to be heard before a competent tribunal.” Due process was afforded here.

{¶ 9} Finally, it is not for us to revisit *Edmundson*, it being a supreme court

opinion.

{¶ 10} The assignment of error is overruled.

{¶ 11} The judgment will be affirmed.

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FAIN, J. and DONOVAN, J., concur.

Copies mailed to:

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- Hon. Roger B. Wilson