

[Cite as *State v. Kindle*, 2010-Ohio-2393.]

IN THE COURT OF APPEALS FOR GREENE COUNTY, OHIO

STATE OF OHIO :  
 Plaintiff-Appellee : C.A. CASE NO.  
 2008 CA 107

v. :  
 T.C. NO. 2008 CR 0540

JOHNNY R. KINDLE : (Criminal appeal from  
 Defendant-Appellant : Common Pleas Court)

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**OPINION**

Rendered on the 28<sup>th</sup> day of May, 2010.

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JOHNNY R. KINDLE, #595-714, P. O. Box 69, London, Ohio 43140  
 Defendant-Appellant

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DONOVAN, P.J.

{¶ 1} Defendant-appellant Johnny R. Kindle appeals his conviction and sentence for two counts of disrupting public services, in violation of R.C. 2909.04(A)(1), both felonies of

the fourth degree; two counts of domestic violence, in violation of R.C. 2919.25(A), both misdemeanors of the first degree; and one count of criminal damaging, in violation of R.C. 2909.06(A)(1), a misdemeanor of the second degree.

## I

{¶ 2} On August 1, 2008, appellant was indicted for two counts of disrupting public services, two counts of domestic violence, and one count of criminal damaging. The charges stemmed from an incident which occurred on July 22, 2008, when officers from the Beavercreek Police Department were dispatched to the residence of John and Susan Kindle, located at 2838 Shakertown Road in Beavercreek, Ohio. Appellant is the son of John and Susan. On the date in question, appellant argued with his parents and became physically aggressive. Susan attempted to call the police from both her cell phone and the land line telephone in her home. Both times she tried to call the police, appellant took the phones away from her and destroyed them. During the argument, appellant also pushed Susan down and punched John in the face. After being attacked, John left the house and drove to a nearby gas station where he called the police. Beavercreek police officers responded shortly thereafter and arrested appellant.

{¶ 3} At his arraignment on August 8, 2008, appellant plead not guilty to all of the charges contained in the indictment. Appellant filed a motion to dismiss on September 11, 2008. On October 1, 2008, the trial court filed a judgment entry overruling appellant's motion to dismiss.

{¶ 4} On October 15, 2008, appellant entered no contest pleas to all of the counts in the indictment. The court subsequently found appellant guilty on all counts and sentenced him to an aggregate sentence of eighteen months in prison. Kindle filed a timely notice of

appeal with this Court on December 19, 2008.

## II

{¶ 5} Initially, we note that appellant's appointed counsel filed a brief pursuant to *Anders v. California* (1967), 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493, in which he asserted that he could locate no arguable issues for review on appeal. Pursuant to *Anders*, we granted appellant sixty days from our order filed on February 4, 2010, in which to file a brief for our review. The record reflects that appellant did not file any briefs or responsive pleadings in this matter.

## III

{¶ 6} We have conducted an independent review of the trial court's proceedings and have found no error having arguable merit. Accordingly, Johnny Kindle's appeal is without merit, and the judgment of the trial court is affirmed.

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BROGAN, J. and FAIN, J., concur.

Copies mailed to:

Elizabeth A. Ellis  
William O. Cass, Jr.  
Johnny R. Kindle  
Hon. J. Timothy Campbell