

IN THE COURT OF APPEALS OF OHIO
TENTH APPELLATE DISTRICT

State of Ohio,	:	
	:	
Plaintiff-Appellee,	:	
	:	
v.	:	Nos. 09AP-1207
	:	(C.P.C. No. 07CR-7636)
Darrick G. Bangs,	:	09AP-1208
	:	(C.P.C. No. 08CR-6853)
Defendant-Appellant.	:	09AP-1209
	:	(C.P.C. No. 08CR-8856)
	:	and 09AP-1210
	:	(C.P.C. No. 09CR-2209)
	:	
	:	(REGULAR CALENDAR)
	:	

D E C I S I O N

Rendered on May 18, 2010

Ron O'Brien, Prosecuting Attorney, and *Sarah W. Creedon*,
for appellee.

Darrick G. Bangs, pro se.

APPEAL from the Franklin County Court of Common Pleas

TYACK, P.J.

{¶1} Darrick G. Bangs is appealing from the order of the trial court refusing to grant his post-sentence motion to withdraw his guilty pleas. His sole assignment of error is:

APPELLANT WAS DENIED DUE PROCESS OF LAW WHEN THE TRIAL COURT DENIED HIS MOTION TO WITHDRAW HIS GUILTY PLEA BASED ON INEFFECTIVE ASSISTANCE OF COUNSEL IN VIOLATION OF THE SIXTH AND FOURTEENTH AMENDMENTS TO THE UNITED STATES CONSTITUTION.

{¶2} Bangs was indicted on four different sets of felonies. He and his defense counsel worked out a plea bargain under the terms of which he pled guilty to three charges of aggravated robbery with a three-year firearm specification, one charge of receiving stolen property, one charge of aggravated assault, and one charge of forgery. He received a sentence of 18 years of incarceration, the term jointly recommended by the defense and the prosecution.

{¶3} Almost four months later, Bangs filed a motion seeking to withdraw his guilty pleas. He alleged that his defense counsel had rendered ineffective assistance of counsel.

{¶4} Crim.R. 32.1 governs motions to withdraw guilty pleas. The rule reads:

A motion to withdraw a plea of guilty or no contest may be made only before sentence is imposed; but to correct manifest injustice the court after sentence may set aside the judgment of conviction and permit the defendant to withdraw his or her plea.

{¶5} Nothing in the record before us indicates that a manifest injustice has occurred in this case. Bangs made an agreement, acknowledged the agreement in open court, engaged in an extended dialogue with the trial court indicating his pleas were voluntary and only indicated dissatisfaction months later.

{¶6} The sole assignment of error is overruled. The judgment of the Franklin County Court of Common Pleas is affirmed.

Judgment affirmed.

SADLER and McGRATH, JJ., concur.
