

[Cite as *State v. Cannady*, 2010-Ohio-2477.]

IN THE COURT OF APPEALS OF OHIO

TENTH APPELLATE DISTRICT

State of Ohio,	:	Nos. 09AP-927
	:	(C.P.C. No. 07CR01-752)
Plaintiff-Appellee,	:	09AP-928
	:	(C.P.C. No. 08CR03-2267)
v.	:	09AP-929
	:	(C.P.C. No. 07CR03-2224)
Romero J. Cannady,	:	09AP-930
	:	(C.P.C. No. 06CR07-5367)
Defendant-Appellant.	:	(REGULAR CALENDAR)
	:	

D E C I S I O N

Rendered on June 3, 2010

Ron O'Brien, Prosecuting Attorney, and *Seth L. Gilbert*, for appellee.

Yeura R. Venters, Public Defender, and *David L. Strait*, for appellant.

APPEALS from the Franklin County Court of Common Pleas

KLATT, J.

{¶1} Defendant-appellant, Romero J. Cannady, appeals from judgments in these consolidated cases entered by the Franklin County Court of Common Pleas revoking appellant's community control and sentencing him accordingly. For the following reasons, we affirm those judgments.

{¶2} Between July 24, 2006 and March 26, 2007, appellant was indicted for a variety of charges in three cases: 06CR07-5367, 07CR01-752, and 07CR03-2224. On October 16, 2007, appellant appeared before the Franklin County Court of Common

Pleas and entered guilty pleas in each of those cases to one count of possession of cocaine. The trial court accepted appellant's guilty pleas, found him guilty, and on January 3, 2008, sentenced him in each case to a three-year period of community control. On March 31, 2008, appellant was indicted in case No. 08CR03-2267. On August 28, 2008, appellant appeared before the same trial court and entered a guilty plea to one count of possession of crack cocaine. The trial court accepted appellant's guilty pleas, found him guilty, and on August 29, 2008, again sentenced him to a three-year period of community control.

{¶3} On July 16, 2009, appellant's probation officer filed a "Request for Revocation of Probation and Statement of Violation(s)" in all of these cases. The request alleged that appellant violated the terms and conditions of his community control by: failing to report for five office visits; testing positive for marijuana; failing to report for two random urine screens; failing to successfully complete drug treatment; failing to make payments of court costs; and failing to provide employment verification. On August 13, 2009, appellant appeared before the trial court and admitted to the violations. As a result, the trial court found that appellant violated his community control, revoked his community control, and sentenced him accordingly.

{¶4} Appellant appeals and assigns the following error:

THE TRIAL COURT ERRED BY REVOKING APPELLANT'S
PROBATION.

{¶5} In this assignment of error, appellant does not dispute that he violated the terms and conditions of his community control. Indeed, appellant admitted to the trial court that he committed those violations. Rather, appellant argues that the trial court erred by revoking his community control. We disagree.

{¶6} Once a court finds a defendant violated the terms of community control, the decision whether to revoke lies within the court's sound discretion. *State v. Ritenour*, 5th Dist. No. 2006AP010002, 2006-Ohio-4744, ¶37; *State v. Wolfson*, 4th Dist. No. 03CA25, 2004-Ohio-2750, ¶8. Thus, a reviewing court will not reverse a trial court's decision to revoke absent an abuse of discretion. *State v. Toler*, 154 Ohio App.3d 590, 2003-Ohio-5129, ¶5; *State v. Birchler* (Oct. 5, 2000), 10th Dist. No. 00AP-311. An abuse of discretion connotes more than an error in law or judgment; it implies that the court's attitude is unreasonable, arbitrary, or unconscionable. *State v. Maurer* (1984), 15 Ohio St.3d 239, 253.

{¶7} The trial court did not abuse its discretion by revoking appellant's community control. The trial court placed appellant on community control after he pled guilty to a number of drug-related offenses. Appellant subsequently admitted to multiple violations of the terms and conditions of his community control, including the failure to complete drug treatment and testing positive for drugs. Although appellant points to positive information about him in the record, the sheer number of violations and the nature of those violations support the trial court's decision.

{¶8} The trial court did not abuse its discretion by revoking appellant's community control. Accordingly, we overrule appellant's assignment of error and affirm the judgments of the Franklin County Court of Common Pleas.

Judgments affirmed.

McGRATH and CONNOR, JJ., concur.
