

IN THE COURT OF APPEALS
TWELFTH APPELLATE DISTRICT OF OHIO
MADISON COUNTY

STATE OF OHIO, :
 :
 Plaintiff-Appellee, : CASE NO. CA2000-07-040
 - vs - : JUDGMENT ENTRY
 : (Accelerated Calendar)
 JOSEPH L. MYERS, : 3/12/2001
 :
 Defendant-Appellant. :

This cause is an accelerated appeal. Defendant-appellant, Joseph Myers, appeals his minor misdemeanor conviction in the Madison County Municipal Court for misconduct at an emergency, a violation of R.C. 2917.13.¹

Appellant's first assignment of error is overruled as the plea of no contest is an admission of the truth of the facts alleged in the complaint, and such plea or admission effectively waives any claimed error concerning sufficiency of the complaint. Crim.R. 11(b)(2).

Appellant's second assignment of error is overruled as it is not the obligation of the trial court to question whether a

1. Pursuant to Loc.R. 6(A) we have sua sponte assigned this appeal to the accelerated calendar.

criminal defendant understands the civil consequences of his

plea. A guilty plea will not be vacated with respect to non-constitutional rights if the trial court has substantially complied with the requirements of Crim.R. 11(C). State v. Nero (1990), 56 Ohio St.3d 106.

Appellant's third assignment of error is overruled as appellant's trial counsel did not violate any duty to appellant which resulted in criminal prejudice. See Strickland v. Washington (1984), 466 U.S. 668.

Upon consideration of the foregoing, the judgment of the trial court is affirmed.

Pursuant to App.R. 11.1(E), this entry shall not be relied upon as authority and will not be published in any form. A certified copy of this judgment entry shall constitute the mandate pursuant to App.R. 27.

Costs to be taxed in compliance with App.R. 24.

Stephen W. Powell, Presiding Judge

James E. Walsh, Judge

Anthony Valen, Judge