

**IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO
CRIMINAL DIVISION**

State Of Ohio,	:	TERMINATION NO. 13
Plaintiff,	:	
vs.	:	Case No. 20CR 4492
Sylvaun A. Latham	:	Judge Frye, Richard A.
Defendant,	:	

**JUDGMENT ENTRY
(Community Control)**

On **June 22, 2021**, the State of Ohio was represented by Assistant Prosecuting Attorney **Michael McLean** and the Defendant was represented by counsel, **Paul Aucoin, Esq.** Defendant, after being advised of his rights pursuant to Crim. R. 11, entered a plea of **GUILTY** to **Count Three** of the indictment, to-wit: **AGGRAVATED POSSESSION OF DRUGS**, in violation of **Section 2925.11** of the Ohio Revised Code, being a **Felony** of the **Fifth Degree**; and entered a plea of **GUILTY** to **Count Four** of the Indictment, to-wit: **HAVING A WEAPON WHILE UNDER A DISABILITY**, in violation of **Section 2923.13** of the Ohio Revised Code, being a **Felony** of the **Third Degree**.

Upon application of the Assistant Prosecuting Attorney, and for good cause shown, it is hereby ORDERED that a nolle prosequi be entered for COUNT ONE; COUNT TWO and gun specification to Count Two; and gun specification to Count Three of the Indictment.

The Court found the Defendant guilty of the charges to which the plea was entered and proceeded immediately to sentencing. The Assistant Prosecuting Attorney and the Defendant's counsel **did jointly recommend** a sentence of Community Control, and Destroy Firearm (Ruger Model LCP .380 Serial No. 377-97123).

On **June 22, 2021**, a sentencing hearing was held pursuant to R.C. 2929.19. The State of Ohio was represented by Assistant Prosecuting Attorney **Michael McLean** and the Defendant was represented by counsel, **Paul Aucoin, Esq.** The Court afforded counsel an opportunity to speak on behalf of the Defendant and addressed the Defendant personally affording him an opportunity to make a statement on his own behalf in the form of mitigation and to present information regarding the existence or non-existence of the factors the Court has considered and weighed.

The Court has considered the purposes and principles of sentencing set forth in R.C. 2929.11 and the factors set forth in R.C. 2929.12. In addition, the Court has weighed the factors as set forth in the applicable provisions of R.C. 2929.13 and R.C. 2929.14. The Court further finds that a prison term **is not** mandatory pursuant to R.C. 2929.13(F).

The Court hereby imposes a period of Community Control for **ONE (1) YEAR**. The

Defendant shall be Direct Placement on **Risk Reduction supervision**. In addition to the provisions of R.C. 2951.02 and the general requirements of the Franklin County Adult Probation Department, as authorized by the Common Pleas Court and as given to the Defendant in writing, the Court imposes the following Community Control Sanctions (See R.C. 2929.15, R.C. 2929.16 and R.C. 2929.17):

1. Defendant shall attend and complete cognitive behavioral programming as determined by the Adult Probation Department.
2. Defendant shall complete any behavioral health assessments as determined by the Adult Probation Department and comply with any recommended treatment.
3. Defendant shall submit to random urine screens as directed by the Adult Probation Department.
4. Defendant shall obtain/maintain verifiable employment and/or successfully complete an employment program.
5. Defendant shall have no new arrests or convictions.
6. The weapon (Firearm Ruger Model LCP .380 Serial No. 377-97123) shall be confiscated and destroyed.
7. Defendant agrees to receive the COVID-19 vaccine and confirm with Probation Department within 30 days.

The Court has considered the Defendant's present and future ability to pay a fine and financial sanction in this case as well, and does, pursuant to R.C. 2929.18, hereby render judgment: **Fine is waived. Defendant shall pay court costs in an amount to be determined.**

Following imposition of Community Control, the Court pursuant to R.C. 2929.19(B)(5) notified Defendant orally what could happen if he violates Community Control. The Court further indicated that if the Defendant violates Community Control he will receive a specific prison term of **Thirty-Six (36) Months, to be served at the Ohio Department of Rehabilitation and Correction.**

The Court finds that the Defendant has **three (3) days** of jail time credit up to and including this sentencing date.

IT IS SO ORDERED.



Frye, Richard A., JUDGE

Copies to:

Prosecuting Attorney: Michael McLean

Counsel for Defendant: Paul Aucoin

Case No. 20CR 4492

Court Disposition

Case Number: 20CR004492

Case Style: STATE OF OHIO -VS- SYLVAUN A LATHAM

Case Terminated: 13 - Guilty or No Contest Plea to Reduced Charge

Final Appealable Order: No