

[Cite as *State v. Hassell*, 2012-Ohio-3598.]

**IN THE COURT OF APPEALS OF OHIO
SECOND APPELLATE DISTRICT
GREENE COUNTY**

STATE OF OHIO

Plaintiff-Appellee

v.

DAVID M. HASSELL

Defendant-Appellant

Appellate Case No. 2011-CA-69

Trial Court Case No. 2011-CR-342

(Criminal Appeal from
Common Pleas Court)

.....

DECISION AND ENTRY

Rendered on the 10th day of August, 2012.

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PER CURIAM:

{¶ 1} Defendant-appellant David M. Hassell appeals from his eleven-month sentence imposed for Violation of a Protection Order, in violation of R.C. 2919.27(A)(1), a felony of the fifth degree. Hassell contends that the sentence constitutes an abuse of discretion.

{¶ 2} Not including one conviction for housing violations, according to the pre-sentence investigation report, Hassell has been convicted of criminal offenses on 30 separate occasions before

this conviction, most of which have been either for indecent exposure, driving without a valid driver's license, or driving while under the influence. Furthermore, Hassell was on community control sanctions when he committed this offense. Therefore, Hassell's argument that his eleven-month sentence is an abuse of discretion is a difficult one to make.

{¶ 3} But we find it unnecessary to decide this appeal. Hassell requested and obtained three extensions of time to file his brief before filing it on April 30, 2012. According to the Ohio Adult Parole Authority, Hassell was released from prison just nine days later, on May 9, 2012; although post-release control was optional for this offense, he was not subject to post-release control when he was released.¹ Hassell never sought a stay of his sentence.

{¶ 4} There is no meaningful relief that we can provide Hassell on appeal. He has already completed his sentence, and he is not challenging the propriety of his plea of guilty to the charge. This appeal is moot, and it is therefore DISMISSED.

{¶ 5} IT IS SO ORDERED.

MIKE FAIN, Judge

MARY E. DONOVAN, Judge

JEFFREY E. FROELICH, Judge

¹An officer of this court telephoned the Ohio Adult Parole Authority on July 25, 2012, and elicited this information.

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