

IN THE COURT OF APPEALS OF OHIO

TENTH APPELLATE DISTRICT

City of Columbus,	:	
	:	
Plaintiff-Appellee,	:	
	:	
v.	:	Nos. 10AP-1191
	:	(M.C. No. 00CRB-24459)
Travis Stange,	:	and 10AP-1192
	:	(M.C. No. 00CRB-24460)
Defendant-Appellant.	:	
	:	(REGULAR CALENDAR)
	:	

D E C I S I O N

Rendered on June 7, 2011

Richard C. Pfeiffer, Jr., City Attorney, *Lara N. Baker*, City Prosecutor, and *Melanie R. Tobias*, for appellee.

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

APPEALS from the Franklin County Municipal Court

TYACK, J.

{¶1} Travis Stange is appealing from the ruling of a judge of the Franklin County

Municipal Court. He assigns a single error for our consideration:

The trial court erred in denying Appellant's motions to set aside his convictions.

{¶2} Travis Stange entered pleas of "no contest" to two charges of aggravated menacing in November 2000. The trial court accepted the pleas, found Stange guilty and sentenced him appropriately.

{¶3} Ten years later, Stange filed a motion to set aside his pleas and resulting convictions. The trial court overruled the motion.

{¶4} Stange argued that the charges against him were never properly filed because the woman who filed those charges used an incorrect name.

{¶5} Crim.R. 32.1 provides:

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.

{¶6} Stange does not claim that he suffered a manifest injustice as a result of the trial court's accepting his pleas of "no contest" and placing him on community control. For this reason alone, his motion had to be overruled.

{¶7} Secondly, the one charge against him was signed by a woman named "Christine M. Fields," not a woman using the name Linda Stange. Stange filed a motion seeking to overturn his convictions on this charge with absolutely no legal basis to support it.

{¶8} Whatever defects could have been alleged in the charge filed in the name of Linda Stange have long ago been waived.

{¶9} The trial court properly disposed of the meritless motion filed by Stange. The sole assignment of error is overruled. The judgment of the Franklin County Municipal Court is affirmed.

Judgment affirmed.

BRYANT, P.J., and CONNOR, J., concur.
