

**IN THE COURT OF APPEALS  
FIRST APPELLATE DISTRICT OF OHIO  
HAMILTON COUNTY, OHIO**

STATE OF OHIO,	:	APPEAL NO. C-160362
	:	TRIAL NO. B-1504253-A
Plaintiff-Appellee,	:	
vs.	:	<i>JUDGMENT ENTRY.</i>
TABATHA BURROWS,	:	
Defendant-Appellant.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court. *See* Rep.Op.R. 3.1; App.R. 11.1(E); 1st Dist. Loc.R. 11.1.1.

Following the trial court’s denial of her motion to suppress, defendant-appellant Tabatha Burrows entered a no-contest plea to possession of cocaine, in violation of R.C. 2925.11(A). The trial court found Burrows guilty and sentenced her to two years of community control. Burrows now appeals.

We overrule Burrows’ first and second assignments of error based upon our determination that the trial court properly denied her motion to suppress. *See State v. Burnside*, 100 Ohio St.3d 152, 2003-Ohio-5372, 797 N.E.2d 71, ¶ 8. The search of Burrows’ bedroom and the seizure of the contraband in that bedroom were effected in conformity with the Fourth Amendment to the United States Constitution, because the search was based upon the written consent of a third party whom the police, at the time of the search, reasonably believed to possess the appropriate authority to consent to a search of the bedroom. *See Illinois v. Rodriguez*, 497 U.S. 177, 186-188, 110 S.Ct. 2793, 111

L.Ed.2d 148 (1990), cited in *State v. Nelson*, 1st Dist. Hamilton No. C-150650, 2016-Ohio-5344, ¶ 12. This reasonable belief was based on the surrounding circumstances, including Burrows' statement that the apartment belonged to her father in response to the investigating officer's question of "who[se] apartment is this, I'd like to talk to them."

Therefore, we affirm the trial court's judgment.

Further, a certified copy of this judgment entry shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

**CUNNINGHAM, P.J., MYERS and MILLER, J.J.**

To the clerk:

Enter upon the journal of the court on June 30, 2017  
per order of the court \_\_\_\_\_.  
Presiding Judge