

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

STATE OF OHIO,	:	APPEAL NO. C-150464
Plaintiff-Appellee,	:	TRIAL NO. B-1500538-B
vs.	:	<i>JUDGMENT ENTRY.</i>
CRAIG YOUNG,	:	
Defendant-Appellant.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court. *See* S.Ct.R.Rep.Op. 2; App.R. 11.1(E); 1st Dist. Loc.R. 11.1.1.

Defendant-appellant Craig Young pled guilty to breaking and entering, a felony of the fifth degree. The trial court sentenced Young to three years of community control. It further ordered Young to pay restitution in the amount of \$10,000 to the victims of his offense, jointly and severally with a codefendant.

Young has appealed. In one assignment of error, he argues that the trial court erred in the imposition of restitution. Young first contends that the record contained no credible evidence to support the ordered amount of \$10,000 in restitution. At Young's sentencing hearing, the state presented testimony from Barry Dingler. Dingler's wife owned the property that had been vandalized in the commission of Young's offense. Dingler explained the destruction that Young had caused in great

detail, and he testified that Young's actions had resulted in approximately \$10,000 damage. He further testified that the amount of \$10,000 was a low estimate that was based on the amount of metals, equipment, and tools that had been taken from the property, as well as the cost to rectify the damage. Based on Dingler's testimony, we find that the amount of restitution ordered was supported by competent and credible evidence. *See State v. Andrews*, 1st Dist. Hamilton No. C-110735, 2012-Ohio-4664, ¶ 25; R.C. 2929.18(A)(1).

Young additionally contends that the trial court failed to consider his ability to pay restitution. The record belies this contention. Young's counsel stated on the record that Young was not opposed to making restitution. And the record further indicated that Young received a monthly income. *See Andrews* at ¶ 31. We find that the trial court sufficiently considered Young's ability to pay before ordering restitution.

Young's assignment of error is overruled, and the judgment of the trial court is affirmed.

A certified copy of this judgment entry shall constitute the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

FISCHER, P.J., HENDON and STAUTBERG, JJ.

To the clerk:

Enter upon the journal of the court on May 13, 2016
per order of the court _____.
Presiding Judge