

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

STATE OF OHIO,	:	APPEAL NO. C-150508
	:	TRIAL NO. B-1403640
Plaintiff-Appellee,	:	
	:	<i>JUDGMENT ENTRY.</i>
vs.	:	
CEDRIC LEWIS,	:	
	:	
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 Cedric Lewis appeals his convictions for trafficking in and possession of heroin.

In his single assignment of error, Lewis contends that the trial court erred by denying his motion to suppress evidence, specifically arguing that the stop of his vehicle was not supported by reasonable and articulable suspicion.

Appellate review of a ruling on a motion to suppress involves mixed questions of law and fact. *See State v. Burnside*, 100 Ohio St.3d 152, 2003-Ohio-5372, 797 N.E.2d 71, ¶ 8. A reviewing court must accept the trial court's findings of fact if they are supported by competent and credible evidence. *Id.* But the reviewing court must then determine, without any deference to the trial court, whether the facts satisfy the

applicable legal standard. *Id.*; *State v. Williams*, 2011-Ohio-6032, 968 N.E.2d 1038 (1st Dist.).

A police officer may conduct a brief investigative stop if the “officer possesses a reasonable suspicion, based upon specific facts that, when taken together with rational inferences from those facts, warrant the belief that the person stopped has committed, or is about to commit a crime.” *Terry v. Ohio*, 392 U.S. 1, 88 S.Ct. 1868, 20 L.Ed.2d 889 (1986); *State v. Andrews*, 57 Ohio St.3d 86, 565 N.E.2d 1271 (1991). In evaluating the facts and inferences supporting the investigatory stop, a court must consider the totality of the circumstances as “viewed through the eyes of a reasonable and cautious police officer on the scene, guided by his experience and training.” *State v. Bobo*, 37 Ohio St.3d 177, 179, 524 N.E.2d 489 (1988), quoting *United States v. Hall*, 525 F.2d 857, 859 (D.C.Cir.1976).

We have reviewed the record and conclude that, under the totality of the circumstances, the police officer had reasonable suspicion to stop Lewis. Accordingly, the single assignment of error is overruled, and the judgment of the trial court is affirmed.

Further, 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.

**CUNNINGHAM, P.J., DEWINE and MOCK, JJ.**

To the clerk:

Enter upon the journal of the court on May 27, 2016

per order of the court \_\_\_\_\_.

Presiding Judge