

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

STATE OF OHIO,	:	APPEAL NO. C-150634
Plaintiff-Appellee,	:	TRIAL NO. 15CRB-21140
vs.	:	<i>JUDGMENT ENTRY.</i>
RONNIE TEETS,	:	
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 Ronnie Teets appeals from the judgment of the Hamilton County Municipal Court ordering him, as part of his sentence, to pay restitution in the amount of \$10,383. Teets had entered a plea of no contest to the offense of unauthorized use of a vehicle, punishable as a first-degree misdemeanor. *See* R.C. 2913.03(A). The trial court accepted Teets' plea, found him guilty, conducted a hearing into the amount of restitution due, determined that the economic loss to the victim was \$10,383, and imposed restitution in that amount as part of the sentence.

In a single assignment of error, Teets argues that the trial court abused its discretion in imposing more than \$1,000 of restitution. Without citation to any authority, Teets argues that because "[t]heft offenses [like] unauthorized use of a motor vehicle carry a threshold of \$1,000 for misdemeanor offenses," restitution for economic loss above that threshold value is contrary to law. Teets' argument is feckless.

In contrast to the theft offenses described in R.C. 2913.02, where the degree of the offense depends on the value of the property taken, the unauthorized-use-of-a-vehicle statute does not consider the value of the improperly used vehicle in determining the level of the offense. *See* R.C. 2913.03(D). *Compare State v. Daniels*, 2015-Ohio-5348, 45 N.E.3d 266, ¶ 31 (1st Dist.) (holding that it was error to award restitution over \$999, where the victim’s economic loss was shown by replacement-value evidence and the petty-misdemeanor *theft offense*, by definition, involved the theft of property with a replacement value of less than \$1000).

Here, credible evidence supports the trial court’s determination that the victim incurred \$10,383 of economic loss “as a direct and proximate result of the commission of the offense.” *See* R.C. 2929.28(A)(1). Since the trial court’s restitution order did not exceed that amount, the court did not abuse its discretion. *See State v. Lynn*, 1st Dist. Hamilton No. C-150569, 2016-Ohio-2849, ¶ 4. The assignment of error is overruled.

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., DEWINE and MOCK, JJ.

To the clerk:

Enter upon the journal of the court on August 19, 2016
per order of the court _____.
Presiding Judge