

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

STATE OF OHIO,	:	APPEAL NO. C-160430
Plaintiff-Appellee,	:	TRIAL NO. B-0710273
vs.	:	<i>JUDGMENT ENTRY.</i>
SYLVESTER LAWSON,	:	
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.

Defendant-appellant Sylvester Lawson appeals the Hamilton County Common Pleas Court’s judgment overruling his Crim.R. 32.1 motion to withdraw his guilty pleas. We affirm the court’s judgment as modified to dismiss the motion.

Lawson was convicted in 2008 upon guilty pleas to rape and kidnapping. We affirmed his convictions on direct appeal. *See State v. Lawson*, 1st Dist. Hamilton No. C-080877 (June 17, 2009), *affirmed following reopening, State v. Lawson*, 1st Dist. Hamilton No. C-080877, 2010-Ohio-4115. He also challenged his convictions in a series of postconviction motions. *See State v. Lawson*, 1st Dist. Hamilton No. C-120478 (Apr. 19, 2013). In this appeal, he advances four assignments of error challenging the overruling of his 2016 Crim.R. 32.1 motion to withdraw his guilty pleas. We address the assignments of error together and overrule them.

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The common pleas court had no jurisdiction to entertain Lawson's Crim.R. 32.1 motion after we had, on direct appeal, affirmed his convictions based upon those pleas, *see State ex rel. Special Prosecutors v. Judges*, 55 Ohio St.2d 94, 97-98, 378 N.E.2d 162 (1978), when the issues presented by his motion could have been raised in his direct appeal. *See State v. West*, 1st Dist. Hamilton No. C-150587, 2017-Ohio-5596, ¶ 20.

Because the common pleas court had no jurisdiction to entertain Lawson's Crim.R. 32.1 motion, the motion was subject to dismissal. Accordingly, upon the authority of App.R. 12(A)(1)(a), we modify the judgment appealed from to reflect the dismissal of the motion. And we affirm the judgment as modified.

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

**ZAYAS, P.J., MILLER and DETERS, JJ.**

To the clerk:

Enter upon the journal of the court on September 29, 2017

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

Presiding Judge