

## MEDIA RELEASE

CASE: State of Ohio v. Kahlif E. Zione

CASE NO: Clinton CA2008-08-032

PANEL: Presiding Judge James E. Walsh, Judges H.J. Bressler and Stephen W. Powell

JUDGMENT: Reversed and Remanded

TRIAL COURT: Clinton County Court of Common Pleas

ATTORNEYS: William E. Peelle, Clinton County Prosecuting Attorney, Brian A. Shidaker, 103 East Main Street, Wilmington, OH 45177, for plaintiff-appellant

Anthony S. VanNoy, 130 West Second Street, Suite 1600, Dayton, OH 45402, for defendant-appellee

The Twelfth District Court of Appeals overturned a sentence for a Clinton County man and returned the case to the Clinton County Common Pleas Court when the Clinton County court did not provide the necessary information to support the sentence it imposed.

Kahlif E. Zione was sentenced by the trial court to a type of probation instead of receiving a prison term for his burglary conviction. The prosecution appealed, arguing that the level of his burglary offense usually involves a prison term and the trial court did not provide the necessary information on the record to support the order of probation instead of prison.

Writing for a unanimous court, Judge Stephen W. Powell held that the trial court did not place the necessary information on the record to justify the sentence imposed and returned the case to the trial court for resentencing. Presiding Judge James E. Walsh and Judge H.J. Bressler concurred in the opinion.

The decision of the Twelfth District Court of Appeals reversed Zione's sentence and returned the case to the trial court for resentencing.

