

COURT OF APPEALS OF OHIO, TWELFTH APPELLATE DISTRICT, BUTLER COUNTY

State v. King

2026-Ohio-391 · No. CA2025-06-064 · Decided February 9, 2026

SUMMARY

The Twelfth District Court of Appeals of Ohio reviewed Roy King's criminal appeal under *Anders v. California*. After independently examining the record and finding no prejudicial error, the court granted counsel's motion to withdraw and dismissed the appeal as wholly frivolous.

CASE DETAILS

COURT	Court of Appeals of Ohio, Twelfth Appellate District, Butler County
WRITING FOR THE COURT	Per Curiam; Matthew R. Byrne, Presiding Judge; Robin N. Piper, Judge; Mike Powell, Judge
JURISDICTION	Court of Appeals of Ohio, Twelfth District, Butler County
DECIDED	February 9, 2026
DOCKET	CA2025-06-064
DISPOSITION	dismissed
PROCEDURAL POSTURE	Roy King appealed from proceedings in the Butler County Court of Common Pleas. Appointed appellate counsel filed an <i>Anders</i> brief and moved to withdraw, asserting that the appeal was wholly frivolous.
STANDARD OF REVIEW	Independent review of the record for prejudicial error and infringement of the appellant's constitutional rights under the <i>Anders</i> procedure.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals decision
PARTIES	Roy King v. State of Ohio

TOPICS

- appellate procedure
- right to counsel
- criminal procedure

PRACTICE AREAS

- criminal appellate procedure
- right to counsel
- criminal procedure

QUESTIONS PRESENTED

- 1. Whether counsel's Anders brief and motion to withdraw were properly before the court and whether independent review of the record disclosed prejudicial error.
- 2. Whether the appeal should be dismissed as wholly frivolous and appellate counsel permitted to withdraw.

HOLDINGS

- 1. After reviewing the Anders brief and independently examining the record, the court found no error prejudicial to King's rights and no infringement of his constitutional rights.
- 2. The court granted counsel's motion to withdraw and dismissed the appeal because it was wholly frivolous.

KEY QUOTATIONS

- “Having allowed appellant sufficient time to respond, and no response having been received, we have accordingly examined the record and find no error prejudicial to appellant's rights in the proceedings in the trial court.” (¶ 3)*
- “The brief of appellant, filed pursuant to Anders v. California, 386 U.S. 738 (1967), properly before this court and having been considered by the court, it is ordered that the motion of counsel for appellant requesting to withdraw as counsel is granted, and this appeal is hereby dismissed for the reason that it is wholly frivolous.” (Judgment Entry)*

FACTUAL BACKGROUND

The opinion contains no substantive factual description of the underlying criminal conduct or conviction. The material facts for the appellate disposition are that counsel reviewed the trial-court record, concluded that no prejudicial error could support an assignment of error, identified one potential issue, and filed an Anders brief and motion to withdraw. King was given sufficient time to respond but filed no response.

PROCEDURAL HISTORY

King appealed from the Butler County Court of Common Pleas, Case No. CR2024-06-0781. Counsel filed an Anders brief identifying one potential issue, requested independent appellate review, and moved to withdraw. After allowing King time to respond and receiving no response, the court independently reviewed the record, found no prejudicial error, granted counsel's withdrawal motion, and dismissed the appeal as wholly frivolous.

DISPOSITION

dismissed

REMAND INSTRUCTIONS

A mandate was ordered sent to the Butler County Court of Common Pleas for execution upon the judgment. The certified copy of the Decision and Judgment Entry constitutes the mandate pursuant to App.R. 27.

CASES CITED

- Anders v. California, 386 U.S. 738 (1967)

OPINION

State v. King

2026 Ohio 391

PER CURIAM.

[Cite as State v. King, 2026-Ohio-391.]

IN THE COURT OF APPEALS

TWELFTH APPELLATE DISTRICT OF OHIO

BUTLER COUNTY

STATE OF OHIO, : Appellee, : CASE NO. CA2025-06-064

: DECISION AND

- vs - JUDGMENT ENTRY

: 2/9/2026 ROY KING, : Appellant. :

CRIMINAL APPEAL FROM BUTLER COUNTY COURT OF COMMON PLEAS

Case No. CR2024-06-0781 Michael T. Gmoser, Butler County Prosecuting Attorney, and Michael Greer, Assistant Prosecuting Attorney, for appellee. Christopher Bazeley, for appellant. _ _

DECISION

Per Curiam. {¶1} This cause came on to be considered upon a notice of appeal filed by appellant, Roy King, the transcript of the docket and journal entries, the transcript of Butler CA2025-06-064 proceedings and original papers from the Butler County Court of Common Pleas, and upon the brief filed by appellant's counsel. {¶2} Appellant's counsel has filed a brief with this court pursuant to Anders v. California, 386 U.S. 738 (1967), which (1) indicates that a careful review of the record from the proceedings below fails to disclose any errors by the trial court prejudicial to the rights of appellant upon which an assignment of error may be predicated; (2) lists one potential error "that might arguably support the appeal," Anders at 744; (3) requests that this court review the record independently to determine whether the proceedings are free from prejudicial error and without infringement of appellant's constitutional rights; (4) requests permission to withdraw as counsel for appellant on the basis that the appeal is wholly frivolous; and (5) certifies that a copy of both the brief and motion to withdraw have been served upon appellant. {¶3} Having allowed appellant sufficient time to respond, and no response having been received, we have accordingly examined the record and find no error prejudicial to appellant's rights in the proceedings in the trial court. The motion of counsel for appellant requesting to withdraw as counsel is granted, and this appeal is dismissed for the reason that it is wholly frivolous. BYRNE, P.J. PIPER and M. POWELL, JJ., concur. -2- Butler CA2025-06-064 _ _

JUDGMENT ENTRY

The brief of appellant, filed pursuant to Anders v. California, 386 U.S. 738 (1967), properly before

this court and having been considered by the court, it is ordered that the motion of counsel for appellant requesting to withdraw as counsel is granted, and this appeal is hereby dismissed for the reason that it is wholly frivolous. It is further ordered that a mandate be sent to the Butler County Court of Common Pleas for execution upon this judgment and that a certified copy of this Decision and Judgment Entry shall constitute the mandate pursuant to App.R. 27. Costs to be taxed to appellant. /s/ Matthew R. Byrne, Presiding Judge /s/ Robin N. Piper, Judge /s/ Mike Powell, Judge -3-