

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

STATE OF OHIO,	:	APPEAL NO. C-170414
	:	TRIAL NO. C-17CRB-10955
Plaintiff-Appellee,	:	
	:	<i>JUDGMENT ENTRY.</i>
vs.	:	
AARON CRISTALES,	:	
	:	
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.

Following a bench trial, Aaron Cristales was found guilty of domestic violence, in violation of R.C. 2919.25. The trial court sentenced him to 180 days of incarceration, suspended, and ordered one year of community control.

In a single assignment of error, Cristales contends that the trial court's judgment was against the weight and the sufficiency of the evidence. He asserts that there was no evidence that he and the victim, his wife, had ever resided together, and also contends that the trial court should have not believed his wife's testimony that Cristales had attacked her.

Cristales's wife testified that the couple had lived together when they were first married. Cristales testified that he had recently moved back in with his wife to

OHIO FIRST DISTRICT COURT OF APPEALS

work on reconciling their marriage. Either is an independent ground for a finding that Cristales lived or had lived with his wife. *See* R.C. 2929.25(A) and (F)(1)(a)(i).

While Cristales offered a version of events that, if believed, may have exonerated him, the trial court did not so lose its way in weighing the evidence presented as to create a manifest miscarriage of justice warranting a reversal. We therefore overrule this assignment of error on the authority of *State v. Thompkins*, 78 Ohio St.3d 380, 387, 678 N.E.2d 541 (1997).

The trial court's judgment is affirmed.

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.

CUNNINGHAM, P.J., MYERS and MILLER, JJ.

To the clerk:

Enter upon the journal of the court on June 20, 2018

per order of the court _____.

Presiding Judge