

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

STATE OF OHIO,	:	APPEAL NO. C-170416
	:	TRIAL NO. B-1405920
Plaintiff-Appellee,	:	
vs.	:	<i>JUDGMENT ENTRY.</i>
CHELSEA MARIE OBERMEYER,	:	
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.

Raising a single assignment of error, defendant-appellant Chelsea Marie Obermeyer challenges the trial court’s denial of her application to seal the records of various criminal charges and convictions, each of which arose from the same act that supported her conviction for an offense that was not eligible to be sealed.

On August 31, 2014, while heavily intoxicated, Obermeyer had lost control of her vehicle and struck and seriously injured a deputy sheriff. The grand jury returned an indictment alleging that Obermeyer had committed five offenses on that date. The trial court accepted Obermeyer’s guilty pleas to three of the offenses, and entered convictions for vehicular assault, operating a vehicle under the influence of alcohol (“OVI”), and failing to maintain reasonable control of her vehicle. Two additional counts charged in the indictment, alleging additional OVI and vehicular-assault offenses, were dismissed.

OHIO FIRST DISTRICT COURT OF APPEALS

The record of Obermeyer's OVI conviction was not eligible to be sealed. *See* R.C. 2953.31 and 2953.36(A)(2). Thus, under the authority of R.C. 2953.61 and *State v. Pariag*, 137 Ohio St.3d 81, 2013-Ohio-4010, 998 N.E.2d 401, syllabus, the trial court was barred from sealing the records of Obermeyer's dismissed charges and convictions, each of which arose from the same act that supported her OVI conviction. The trial court did not err in denying Obermeyer's application, and 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., ZAYAS and DETERS, JJ.

To the clerk:

Enter upon the journal of the court on May 4, 2018
per order of the court _____
Presiding Judge