

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

IN RE: S.F. : APPEAL NOS. C-180096
C-180097
: C-180098
C-180099
: TRIAL NOS. 15-2600Z
15-7854Z
: 16-8475Z
17-2346Z
:
: *JUDGMENT ENTRY.*

We consider these appeals 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.

In these consolidated appeals, appellant S.F. appeals the judgments of the juvenile court entered in four delinquency actions revoking his probation and committing him to the Department of Youth Services (“DYS”).

We first address S.F.’s second assignment of error in which he argues that the juvenile court violated his due-process rights by revoking his probation and imposing the suspended DYS commitments in the cases numbered 15-2600Z, 15-7854Z, and 17-2346Z without following Juv.R. 29 and 35. The state concedes the error in these three cases. We sustain S.F.’s second assignment of error on the authority of *In re A.S.*, 1st Dist. Hamilton Nos. C-180045 and C-180046, 2019-Ohio-2558.

In his first assignment of error, S.F. argues that his admission to the probation violation in the case numbered 16-8475Z was not knowing, voluntary, and intelligent, because the juvenile court failed to inform him of the potential commitment to DYS as a consequence of the admission. This assignment is overruled on the authority of *In re A.S.*

We next address S.F.'s fourth assignment of error in which he argues that the juvenile court erred in denying him confinement credit for his time spent at Abraxas Youth Center. We sustain this assignment of error on the authority of *In re A.S.*

In his third assignment of error, S.F. argues that the juvenile court erred in refusing his request to be transported for the hearing on confinement credit. Our resolution of S.F.'s fourth assignment of error renders this assignment of error moot, and we decline to address it. *See* App.R. 12(A)(1)(c).

In the appeals numbered C-180096, C-180097, and C-180099, we vacate the judgments of the juvenile court revoking S.F.'s probation. In the appeal numbered C-180098, we affirm that portion of the judgment revoking S.F.'s probation in the case numbered 16-8475Z, but we reverse that portion of the judgment calculating his confinement credit, and we remand the matter with instructions to the juvenile court to recalculate S.F.'s confinement credit, crediting him for his time at Abraxas Youth Center.

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

BERGERON and **WINKLER, JJ.**, concur.
MOCK, P.J., concurs in part and dissents in part.

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MOCK, P.J., concurring in part and dissenting in part.

I agree with the majority's determination in the appeals numbered C-180096, C-180097, and C-180099. As to the appeal numbered C-180098, I dissent from the resolution of S.F.'s fourth assignment of error for the reasons stated in my dissent in *In re A.S.*, 1st Dist. Hamilton Nos. C-180045 and C-180046, 2019-Ohio-2558, at ¶ 40-41 (Mock, J., dissenting).

To the clerk:

Enter upon the journal of the court on July 10, 2019

per order of the court _____.
Presiding Judge