

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

STATE OF OHIO,	:	APPEAL NO. C-160655
	:	TRIAL NO. C-04CRB-3163
Plaintiff-Appellee,	:	
	:	<i>JUDGMENT ENTRY.</i>
vs.	:	
MICHAEL GLYNN,	:	
	:	
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.

Defendant-appellant Michael Glynn was convicted of violating a domestic violence protection order under former R.C. 2919.27(A)(2), a first-degree misdemeanor. In 2015, he filed an application to seal the record of his conviction under former R.C. 2953.32. The prosecutor objected on the grounds that another police department or prosecutor would not know to search for the sealed conviction, and the conviction then could not serve to enhance a future charge. The trial court denied the application based on the prosecutor's objection.

In *State v. Glynn*, 1st Dist. Hamilton No. C-150474, 2016-Ohio-3230, this court reversed the trial court's decision because it was based on a misapplication of the law. We remanded the cause to the trial court to reconsider Glynn's application. *Id.* at ¶ 6. Following a hearing, the trial court again denied Glynn's application. This appeal followed.

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In his sole assignment of error, Glynn contends that the trial court erred when it refused to grant his application to seal the record of his conviction. Our review of the record shows that the trial court complied with the mandates of former R.C. 2953.32(C)(1). *See State v. Murawski*, 1st Dist. Hamilton No. C-140298, 2014-Ohio-5438, ¶ 8. Its determination that Glynn had not been satisfactorily rehabilitated was not so arbitrary, unreasonable, or unconscionable as to connote an abuse of discretion. *See Id.* at ¶ 6; *State v. Clark*, 1st Dist. Hamilton No. C-130672, 2014-Ohio-3612, ¶ 7-8; *State v. Spicer*, 1st Dist. Hamilton Nos. C-040637 and C-040638, 2005-Ohio-4302, ¶ 7-10. Consequently, we cannot hold that the trial court erred in denying Glynn’s application to seal the record. We overrule his sole assignment of error and affirm the trial court’s judgment.

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

MOCK, P.J., CUNNINGHAM and DETERS, JJ.

To the clerk:

Enter upon the journal of the court on September 8, 2017
per order of the court _____.
Presiding Judge