

IN THE COURT OF APPEALS OF OHIO
TENTH APPELLATE DISTRICT

State of Ohio, :
 :
 Plaintiff-Appellee, :
 :
 v. : No. 07AP-976
 : (C.P.C. No. 02CR-03-1696)
 Roosevelt J. Bradford, :
 : (REGULAR CALENDAR)
 Defendant-Appellant. :

O P I N I O N

Rendered on May 1, 2008

Ron O'Brien, Prosecuting Attorney, and *Kimberly M. Bond*, for
appellee.

Roosevelt J. Bradford, pro se.

APPEAL from the Franklin County Court of Common Pleas.

TYACK, J.

{¶1} Appellant, Roosevelt J. Bradford, is appealing from the denial of his petition for post-conviction relief. He assigns a single error for our consideration:

The trial court was without authority to impose consecutive terms of incarceration, as the sentence violated the Sixth Amendment to the United States Constitution.

{¶2} On June 8, 2004, Bradford entered a guilty plea to a charge of aggravated robbery with a three year gun specification and to a charge of felonious assault. A charge of attempted murder and two charges of robbery were dismissed. Bradford, his counsel,

and the State of Ohio agreed that he would be sentenced to a total of 16 years of incarceration. The trial judge gave the agreed sentence.

{¶3} On September 14, 2007, Bradford filed his petition for post-conviction relief, alleging that the Supreme Court of Ohio's ruling in *State v. Foster*, 109 Ohio St.3d 1, 2006-Ohio-856, mandated that he receive concurrent sentences.

{¶4} Bradford does not understand the *Foster* case. *Foster* grants trial court judges additional leeway in granting consecutive sentences. *Foster* has no impact whatsoever on sentences of the parties in which a specific term of incarceration is stipulated.

{¶5} The assignment of error is overruled. The judgment of the Franklin County Court of Common Pleas is affirmed.

Judgment affirmed.

PETREE and SADLER, JJ., concur.
