

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

STATE OF OHIO,	:	APPEAL NO. C-180666
		TRIAL NO. B-1802025
Plaintiff-Appellee,	:	
		<i>JUDGMENT ENTRY.</i>
vs.	:	
ALPHONSO GOODWIN,	:	
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.

Alphonso Goodwin appeals his conviction, following his guilty plea, of aggravated robbery with an accompanying firearm specification. In a single assignment of error, he argues that his plea was not made knowingly, intelligently, and voluntarily because he was denied the effective assistance of counsel.

When a defendant alleges ineffective assistance of counsel arising from a guilty plea, the defendant must meet the two-prong test set out in *Strickland v. Washington*, 466 U.S. 668, 104 S.Ct. 2052, 80 L.Ed.2d 674 (1984). *Hill v. Lockhart*, 474 U.S. 52, 106 S.Ct. 366, 88 L.Ed.2d 203 (1985); *State v. Xie*, 62 Ohio St.3d 521, 524, 584 N.E.2d 715 (1992). First, the defendant must show that counsel’s performance was deficient. *Hill* at 57; *Xie* at 524. Second, “the defendant must show that there is a reasonable probability that, but for counsel’s errors, he would not have pleaded guilty \* \* \*.” *Hill* at 59; *Xie* at 524.

Goodwin argues that trial counsel provided ineffective assistance by advising him to plead guilty to aggravated robbery when there was insufficient evidence that he

had a deadly weapon on his person or under his control. However, Goodwin's assertion that defense counsel advised him to plead guilty is not demonstrated in the record. We are unable to determine on appeal whether ineffective assistance of counsel occurred where the allegations of ineffectiveness are based on facts outside the record. *See State v. Giuggio*, 1st Dist. Hamilton No. C-170133, 2018-Ohio-2376, ¶ 10; *State v. Fields*, 1st Dist. Hamilton No. C-090648, 2010-Ohio-4114 (allegations regarding advice by defense counsel were issues that depended on matters outside the record on appeal).

Moreover, a guilty plea is a complete admission of guilt that removes any issues of factual guilt from the case. Crim.R. 11(B)(1); *State v. Young*, 1st Dist. Hamilton No. C-170628, 2019-Ohio-134, ¶ 9. By pleading guilty to aggravated robbery and the firearm specification, Goodwin waived any challenge to the sufficiency of the evidence to prove the specification. *See id*; *State v. Allen*, 1st Dist. Hamilton No. C-150769, 2016-Ohio-5258, ¶ 17. In addition, Goodwin confirmed to the court the truth of the facts contained in the indictment and as read by the prosecutor. These included facts supporting the gun allegations and specification.

Following our review of the record, we conclude that the trial court fully complied with the requirements of Crim.R. 11(C)(2) and that Goodwin entered his guilty plea knowingly, intelligently, and voluntarily. *See State v. Asher*, 1st Dist. Hamilton No. C-180163, 2019-Ohio-1317, ¶ 4. The trial court did not err in accepting Goodwin's guilty plea. Therefore, we overrule the assignment of error and 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.

**MOCK, P.J., MYERS and BERGERON, JJ.**

To the clerk:

Enter upon the journal of the court on November 20, 2019

per order of the court \_\_\_\_\_  
Presiding Judge