

**IN THE COURT OF CRIMINAL APPEALS OF THE STATE OF OKLAHOMA**

KENT R. DOTSON, )  
 )  
 Appellant, )  
 )  
 v. )  
 )  
 THE STATE OF OKLAHOMA, )  
 )  
 Appellee. )

NOT FOR PUBLICATION

Case No. F-2013-801

**FILED**  
**IN COURT OF CRIMINAL APPEALS**  
**STATE OF OKLAHOMA**  
AUG 13 2014

**SUMMARY OPINION**

**PER CURIAM:**

MICHAEL S. RICHIE  
CLERK

Appellant, Kent R. Dotson, was convicted after a bench trial in Okmulgee County District Court, Case No. CF-2011-433, of Attempting to Elude a Police Officer (21 O.S.2011, § 540A), After Two or More Felonies. On August 19, 2013, the Honorable Kenneth E. Adair, District Judge, sentenced him to ten years imprisonment, a \$5,000.00 fine, and eighteen months of post-imprisonment supervision. This appeal followed.

Appellant raises the following propositions of error:

- 1. The term of post-imprisonment supervision imposed on Appellant exceeds the statutory maximum and should be corrected.
- 2. The sentence imposed by the trial court is excessive.

After thorough consideration of the propositions, and the entire record before us on appeal, including the original record, transcripts, and briefs of the parties, we affirm the judgment, but modify one aspect of the sentence. Appellant was convicted of leading police on a brief but potentially dangerous high-speed chase, at night, through a residential area. The officer testified that

Appellant ran four stop signs, and that several motorists pulled over to get out of the way. Appellant had several prior felony convictions, so that the punishment range he faced was three years to life imprisonment. Considering the dangerousness of Appellant's conduct, we cannot say the term of imprisonment imposed by the trial court was shocking to the conscience. *Rea v. State*, 2001 OK CR 28, ¶ 5, 34 P.3d 148, 149. Proposition 2 is therefore denied. However, as to Proposition 1, the State concedes that the term of post-imprisonment supervision imposed by the trial court exceeds the maximum allowed by law. Accordingly, we **MODIFY** the term of post-imprisonment supervision to twelve months. 22 O.S.Supp.2012, § 991a-21; *Sandlin v. State*, 1969 OK CR 277, ¶¶ 7-8, 462 P.2d 306, 308-09.

### DECISION

The term of post-imprisonment supervision is **MODIFIED** to twelve months. In all other respects, the Judgment and Sentence of the district court is **AFFIRMED**. Pursuant to Rule 3.15, *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2014), the **MANDATE** is **ORDERED** issued upon the delivery and filing of this decision.

AN APPEAL FROM THE DISTRICT COURT OF OKMULGEE COUNTY  
THE HONORABLE KENNETH E. ADAIR, DISTRICT JUDGE

#### APPEARANCES AT TRIAL

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**OPINION BY PER CURIAM**

LEWIS, P.J.: CONCUR  
SMITH, V.P.J.: CONCUR  
LUMPKIN, J.: CONCUR  
A. JOHNSON, J.: CONCUR

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