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Ohio Fifth District Court of Appeals Case Summaries

Case Caption	Case No(s)	Character of Proceeding	Judgment	Topics and Issues	Author	Date of Judgment Entry
Krug v. Stuff	2025 CA 0042	Richland County Writ of Habeas Corpus	Dismissed	Writ of Habeas Corpus Krug filed a petition for a writ of habeas corpus under R.C. 2725.01, arguing that his continued confinement is unlawful because the trial court improperly added twenty years to his sentence based on repeat violent offender (RVO) specifications that a jury did not convict him of, rendering his sentence unconstitutional and void. Krug asserted his lawful 17½-year sentence expired on June 30, 2025, and sought immediate release. The Eleventh District Court of Appeals had previously rejected these same arguments on direct appeal, finding the RVO enhancements were mandatory under R.C. 2929.14(D)(2)(b) and required no judicial fact-finding, and the Ohio Supreme Court declined further review. The court concluded that Krug's claims either were already litigated, could have been raised on direct appeal, or were not cognizable in habeas corpus—such as alleged sentencing errors and due process violations. Because Krug failed to demonstrate unlawful restraint or entitlement to immediate release, the court granted Warden Angela Stuff's Motion to Dismiss under Civ.R. 12(B)(6).	Baldwin	8/25/2025
State v. Wilson	CT2025-0011	Appeal from the Muskingum County Court of Common Pleas, Case No. CR2024-0672	Affirmed	Ineffective assistance of counsel; Merger of charges for purposes of sentencing The appellant was sentenced to concurrent prison terms of 17 months for Disrupting Public Services, 6 years for Felonious Assault, 7 years to an indefinite 10½ years for Aggravated Robbery, and 30 months for Domestic Violence, resulting in an aggregate indefinite sentence of 7 to 10½ years. On appeal, he argued ineffective assistance of counsel for failing to raise self-defense, but the court found counsel's decision strategic given the facts of the case, including the appellant's drug use in his mother's home and refusal to return her phone, and concluded there was no prejudice. The appellant also claimed the trial court erred by not merging Felonious Assault and Domestic Violence for sentencing, but the court held the issue was not preserved for review, no plain error occurred, and any failure to merge caused no prejudice because the sentences were concurrent. Accordingly, both assignments of error were found meritless.	Baldwin	8/25/2025
State v. Cullins	CT2024-0137	Appeal from the Muskingum County Court of Common Pleas, Case No. CR2024-0459	Affirmed	Anders; Guilty plea; Sentencing; Sentencing factors; Crim.R. 11 Cullins pled guilty to telecommunications fraud, theft, possessing criminal tools, and identity fraud, and was sentenced to an aggregate concurrent prison term of seventeen months. Her appellate counsel, Attorney April Campbell, filed a Motion to Withdraw and an Anders brief, asserting there were no meritorious issues for appeal. Counsel complied with the requirements of Anders v. California, 386 U.S. 738 (1967), and Cullins was given the opportunity to file a pro se brief but did not do so. Upon independent review, the court determined that Cullins' guilty plea was knowingly, voluntarily, and intelligently entered, the trial court fully complied with Crim.R. 11, and the imposed sentence was within statutory guidelines and supported by proper considerations under Ohio sentencing law.	Montgomery	8/25/2025
State v. Ridenbaugh	CT2024-0127 & CT2024-0128	Appeal from the Muskingum County Court of Common Pleas, Case Nos. CT2024-396 and CR2024-514	Affirmed	Anders Ridenbaugh pled guilty to two counts of obstructing justice and two counts of harassment with a bodily substance, for which the trial court imposed consecutive 36-month sentences after considering his lengthy criminal history, resulting in a total prison term of 12 years. His appellate counsel, Attorney April Campbell, filed a motion to withdraw and an Anders brief, asserting there were no meritorious issues for appeal. After independently reviewing the record, the court found that Ridenbaugh's guilty pleas were knowingly, voluntarily, and intelligently entered in compliance with Crim.R. 11, and his sentence was within the statutory range, supported by the purposes and principles of felony sentencing under R.C. 2929.11 and 2929.12, and not contrary to law.	Hoffman	8/25/2025
State v. Watkins	25 CAA 03 0020	Appeal from the Delaware County Court of Common Pleas, Case No. 23 CRI 09 0497	Affirmed	Felonious assault; Robbery; Manifest weight of the evidence; Sufficiency of the evidence; Jury trial Watkins was convicted by a jury in the Delaware County Court of Common Pleas of felonious assault and robbery stemming from an August 21, 2023 incident at the Hilton Polaris hotel, where he brutally attacked a housekeeper, causing serious facial fractures, and assaulted a hotel employee before stealing his phone and walkie talkie. Evidence at trial included eyewitness testimony, hotel surveillance footage, and DNA on a hat found in the hotel room linking Watkins to the crime. Though Watkins represented himself at trial and challenged the weight and sufficiency of the evidence on appeal, the appellate court found the jury's verdict supported by strong circumstantial and direct evidence, concluding the convictions were neither against the manifest weight nor lacking in sufficiency. Watkins was sentenced to consecutive prison terms of 8–12 years for felonious assault and 6 years for robbery, for a total of 14–18 years, and his convictions and sentence were affirmed on appeal.	Montgomery	8/25/2025
State v. Hartley	2024CA00117	Appeal from the Stark County Canton Municipal Court, Case No. 2024CRB1009	Affirmed in part; Vacated in part; Remanded in part	Criminal Damaging - Manifest Weight/Sufficiency of the Evidence - Other Acts Evidence - Right of Allocution Hartley appealed his conviction in the Canton Municipal Court for criminal damaging (R.C. 2909.06(A)(1)) and his ninety-day jail sentence, arguing insufficient evidence, manifest weight error, and improper admission of other acts evidence. The court found sufficient evidence supported the conviction, including testimony and body camera footage showing Hartley repeatedly kicking the holding cell door for forty minutes, causing visible scuff marks and a crease, and interfering with its proper function. The court also held the admission of Hartley's prior disruptive behavior in the courthouse was proper as it provided context, demonstrated motive and intent, and was admissible under the res gestae doctrine. While the conviction was affirmed, the court agreed Hartley was denied his right to allocution at sentencing, vacated the sentence, and remanded the case for resentencing.	Hoffman	8/26/2025



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Walkers Corner Hill Rd., L.L.C. v. Access Urgent Med. Care of Pickerington, Inc.	2024 CA 00046	Appeal from the Fairfield County Court of Common Pleas, Case No. 2023-CV00149	Affirmed	Neglect was not excusable and trial court did not abuse its discretion in denying leave to file answer - Failure to file answer - allegations in complaint deemed admitted and affirmative defenses waived - Motion for summary judgment on breach of contract claim properly granted AUMC argued the trial court erred in denying its motion for leave to file an answer and counterclaim, claiming its failure to file on time was due to excusable neglect because the parties were engaged in settlement discussions. The appellate court disagreed, explaining that under Civ.R. 6(B)(2), excusable neglect requires conduct reasonable under the circumstances, and settlement negotiations do not excuse compliance with procedural rules. AUMC's answer was due May 31, 2023, yet it did not file its motion for leave until July 17, 2023, well after the deadline. The court emphasized that AUMC could have safeguarded against missing the deadline by filing for an extension before it expired. Because settlement talks were not continuous and ended without resolution, the court found no excusable neglect and held that the trial court did not abuse its discretion in denying AUMC's motion.	Hoffman	8/27/2025
State v. Abraham	2024 CA 00100	Appeal from the Licking County Court of Common Pleas, Case No. 2024 CR 00214	Affirmed	Manifest weight; Sufficiency Abraham was convicted of five counts of theft and one count of telecommunications fraud following a bench trial and appealed, arguing insufficient evidence, though his claims more accurately challenged the weight of the evidence. He contended the State failed to prove he lacked a possessory interest in the funds, asserting an implied partnership existed despite conceding no partnership agreement was in place. The appellate court held this argument was forfeited because it was not raised at trial. Testimony and documentation established Wilson as the sole owner of Whiskey River Soap, that she repeatedly told Abraham not to use company funds for personal expenses, and that Abraham engaged in a scheme of double vendor payments, diverting funds to his own account. Abraham himself admitted he took the money due to an affair, acknowledged his exclusion from ownership paperwork because of tax issues, and confirmed he pressured Wilson for written recognition of ownership, undermining his partnership claim. The court concluded the evidence supported the trial court's verdict, found the convictions were not against the manifest weight of the evidence, and overruled Abraham's sole assignment of error.	King	8/26/2025
State v. Lang	CT 2025-0006	Appeal from the Muskingum County Court of Common Pleas, Case No. CR2024-0321	Affirmed	Anders Lang appealed her conviction and sentence following a negotiated guilty plea in the Muskingum County Court of Common Pleas, where she pled guilty to a reduced second-degree felony count of Engaging in a Pattern of Corrupt Activity and multiple counts of Money Laundering, stemming from her role in smuggling drugs into prisons and transferring money with incarcerated individuals. After a plea hearing in October 2024 and a sentencing hearing in December 2024, Lang received a prison term of four to six years. Her appellate counsel filed an Anders brief and motion to withdraw, asserting that the appeal presented no non-frivolous issues. Upon independent review, the appellate court found that Lang's guilty plea was knowingly, intelligently, and voluntarily entered, that the trial court complied with Crim.R. 11, and that the sentence imposed was lawful and within the statutory range. Finding no arguable merit in the appeal, the court affirmed the trial court's judgment and granted counsel's motion to withdraw.	Popham	8/27/2025
State v. Caughenbaugh	2025 CA 00013	Appeal from the Licking County Municipal Court, Case No. 24-TRC-09733	Reversed and Remanded	Trial court's decision granting a motion to suppress is reversed where the trial court relied solely on dashcam video footage without considering the credibility of the law-enforcement officer who testified about having seen the defendant commit a traffic violation A trooper testified that Caughenbaugh's vehicle crossed the double yellow lines, justifying the stop, but the trial court relied solely on dashcam footage, which—due to fog, distance, and poor lighting—did not visibly show a marked-lanes violation, and thus suppressed the evidence. On review, the appellate court held that trial courts must consider all evidence, including officer testimony, rather than adopting a blanket rule that a traffic stop is invalid whenever a violation is not visible on video. Finding that the trial court failed to properly weigh the trooper's testimony, the appellate court reversed the suppression ruling and remanded the case for further proceedings, waiving costs.	Gormley	8/27/2025