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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
State v. Hoover	25COA027	Appeal from the Court of Common Pleas of Ashland County , Case No. 24CRI294	Affirmed	The trial court did not abuse its discretion when that court imposed a 90-day jail sentence and two years of community-control supervision for a first-degree misdemeanor. Defendant Aaron Hoover appealed his 90-day jail sentence and two years of community-control supervision following his guilty plea to a first-degree misdemeanor domestic violence charge, arguing the trial court abused its discretion. The case arose from a November 2024 incident in which Hoover admitted to striking the victim with a handgun, and officers observed physical injuries consistent with her report that he had also choked her. After originally being charged with felony strangulation and assault, Hoover pled guilty to a reduced charge, and the trial court imposed a sentence within the statutory limits after considering the presentence investigation, the seriousness of the offense, Hoover's alcohol issues, and the need for supervision. On appeal, Hoover argued that the court failed to properly weigh mitigating factors such as his lack of felony history and participation in counseling, but the appellate court found no evidence that the trial court ignored the required statutory factors. Concluding that the sentence was lawful and not unreasonable, arbitrary, or unconscionable, the appellate court affirmed the trial court's judgment.	Gormley	4/27/2026
State v. Kirven	25 CAA 10 0089 25 CAA 10 0090	Appeal from the Delaware County Court of Common Pleas, Case Nos. 25 CR I 05 0340 24 CR I 12 0754	Affirmed	Crim.R. 11 Appellant Billie Kirven appealed her convictions from the Delaware County Court of Common Pleas following guilty pleas in two cases involving multiple offenses, including assault, obstructing official business, harassment with a bodily substance, and OVI, arguing that the trial court erred by convicting her without properly accepting a plea and that her pleas were not made knowingly, intelligently, and voluntarily. The appellate court rejected both arguments, finding that although the trial court did not use the exact phrase "how do you plead," the record clearly showed Kirven personally acknowledged her intent to plead guilty, understood the plea agreement, and confirmed her decision both orally and in a signed written plea form. The court further held that, despite questioning about the facts occurring before the full constitutional advisements, the trial court ultimately complied with Crim.R. 11 by informing Kirven of all required rights, confirming her understanding, and ensuring her pleas were voluntary. Concluding that the trial court substantially and properly complied with legal requirements and that Kirven's pleas were valid, the appellate court affirmed the judgment.	Baldwin	4/28/2026
State v. Huff	2025CA0044 2025CA0045 2025CA0046	Appeal from the Richland County Court of Common Pleas, Case Nos. 2024CR0371N 2024CR0381N 2025CR0259N	Affirmed	Plea was knowingly, intelligently and voluntarily entered and trial court's heightened duty for accepting Alford was not required Appellant Samantha Huff appealed her convictions and sentences from the Richland County Court of Common Pleas following guilty pleas in multiple cases involving drug possession, failure to comply with a police signal, and operating a vehicle under the influence. After initially receiving community control, Huff was later indicted for first-degree felony heroin possession, pled guilty on the day of trial, and admitted to violating her prior community control. The trial court imposed an indefinite prison term of four to six years for the heroin offense, along with consecutive and concurrent sentences for the probation violations. On appeal, Huff argued her guilty plea was not knowing, intelligent, and voluntary because she initially claimed innocence, requiring an Alford plea inquiry, and that her probation violation was unsupported. The appellate court rejected both claims, finding Huff did not persist in her protestations of innocence after consulting counsel, the trial court properly conducted a Crim.R. 11 colloquy, and her plea was valid. Because the plea was valid, it also supported the probation violation, and the court affirmed the trial court's judgments.	Popham	4/29/2026
State v. Stiffler	2025 AP 10 0033	Appeal from the Tuscarawas County Court of Common Pleas, Case No. 2025 CR 03 0084	Affirmed	Suppression - Detention of Drive to Check License and Registration - Detention for Field Sobriety Testing Defendant-appellant Lee Stiffler appealed his convictions after pleading no contest to failure to comply with a police signal and resisting arrest, arguing the trial court erred in denying his motion to suppress evidence from a traffic stop. The stop occurred when an officer could not initially see a valid temporary tag due to window tint; after stopping Stiffler, the officer observed erratic behavior, difficulty producing documents, slurred speech, and agitation, and Stiffler ultimately refused to exit the vehicle and drove off. On appeal, Stiffler challenged both the factual findings about the visibility of the tag and the justification for his continued detention. The appellate court held that disputes about the tag's visibility related only to the initial stop—which Stiffler did not contest—and found the trial court's factual determinations were supported by the evidence. Relying on recent precedent, the court further concluded the officer was permitted to continue the stop to check license, registration, and insurance even after confirming the tag, and that additional observations provided reasonable suspicion to extend the detention for field sobriety testing. Accordingly, all assignments of error were overruled, and the trial court's judgment imposing two years of community control was affirmed.	Hoffman	4/30/2026



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State v. Phelps	2025 CA 00035	Appeal from the Fairfield County Court of Common Pleas, Case No. 2019 CR 00499	Affirmed	Petition for Post-Conviction Relief - Untimely Filed Defendant-appellant Robert Phelps appealed the dismissal of his petition for post-conviction relief, arguing the trial court erred by denying his untimely petition without issuing findings of fact and conclusions of law or holding an evidentiary hearing. Phelps had previously pleaded guilty in 2020 to multiple drug trafficking charges and engaging in a pattern of corrupt activity, receiving a jointly recommended 15-year sentence that was affirmed on direct appeal. In 2025, he filed a petition alleging prosecutorial misconduct and ineffective assistance of counsel, but the appellate court found the petition was filed well beyond the 365-day deadline and did not meet the statutory exceptions allowing untimely filings, as Phelps failed to show he was unavoidably prevented from discovering the relevant facts or that no reasonable factfinder would have convicted him absent constitutional error. The court further held that when a petition is untimely, the trial court lacks jurisdiction and is not required to issue findings or hold a hearing. Accordingly, the appellate court overruled his assignment of error and affirmed the trial court's judgment.	Hoffman	4/30/2026