



Stark County Law Library
110 Central Plaza South, Suite 401, Canton, OH 44702
www.starkcountyohio.gov/law-library



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
Clark v. Parker	2026CA00048	Appeal from the Stark County Court of Common Pleas, Case No. 2025CV01073	Affirmed	Summary Judgment; Writ of Restitution Defendant-Appellant Curtis L. Clark, LLC appealed the Stark County Court of Common Pleas' February 10, 2026 judgment striking its request for a writ of restitution following the court's January 23, 2026 grant of summary judgment in Clark's favor and dismissal with prejudice of Deborah Parker's complaint concerning a land installment contract for property on Gardendale Avenue in Canton. Clark argued that a writ of restitution was necessary to enforce the judgment and restore possession of the property, but the trial court determined that its judgment merely dismissed Parker's complaint and awarded Clark, LLC no affirmative relief, leaving the case closed and depriving the court of further jurisdiction. The Fifth District Court of Appeals agreed, noting that it could not find any written request for a writ of restitution in the underlying case and that the proper venue for such relief appeared to be Clark's separate pending eviction action. Because the January 23 judgment disposed of the entire case and did not grant affirmative relief beyond dismissal, the trial court was divested of jurisdiction to act further. The court therefore overruled Clark's sole assignment of error and affirmed the trial court's judgment.	Hoffman	8/21/2026
State v. Smith	26CA000008	Appeal from the Guernsey County Court of Common Pleas, Case No. 24CR000225	Affirmed	Alford plea Appellant Branden M. Smith appealed his conviction following an Alford guilty plea to felonious assault, arguing that the trial court failed to conduct the heightened inquiry required for an Alford plea and that his plea was therefore not knowing, intelligent, and voluntary. Smith had maintained that he acted in self-defense, but entered the plea after the State agreed to dismiss the repeat violent offender specification, substantially reducing his potential sentence. During the plea hearing, the trial court carefully explained the nature and consequences of an Alford plea, including that Smith could maintain his innocence while acknowledging that sufficient evidence existed for a jury to convict him, and that the plea could result in a postrelease-control violation sanction. Smith was given opportunities to consult privately with counsel, confirmed that he understood the plea and was motivated in part by avoiding a potentially harsher sentence, and acknowledged that he understood the court could find him guilty despite his continued claim of innocence. The Fifth District Court of Appeals held that the record satisfied the heightened requirements for accepting an Alford plea, including the absence of coercion, competent counsel, an understanding of the charges, a rational motivation to seek a lesser penalty, and a factual basis supported by strong evidence of guilt. Accordingly, the court overruled Smith's sole assignment of error and affirmed the judgment of the Guernsey County Court of Common Pleas.	Baldwin	8/21/2026
State v. Lawson	2025CA00050	Appeal from the Fairfield County Court of Common Pleas, Case No. 2022 CR 173	Affirmed	Post-conviction relief Defendant-Appellant Raffael Lawson appealed the Fairfield County Court of Common Pleas' denial of his petition for postconviction relief, which raised claims of ineffective assistance of trial counsel for failing to call his nephew as a witness and for failing to challenge the chain of custody of a seized cell phone, as well as a claim that the State's response to his petition was untimely. The Fifth District Court of Appeals affirmed, holding that Lawson was not entitled to an evidentiary hearing because he failed to present sufficient operative facts demonstrating constitutional violations and prejudice. Although Lawson submitted his nephew's affidavit, the court found the affidavit questionable in light of other trial evidence and concluded that the decision not to call the nephew was a matter of trial strategy; moreover, Lawson knew of the nephew's potential testimony before trial and could have raised the issue on direct appeal, making it barred by res judicata. His cell-phone claim was likewise barred because he knew of the alleged chain-of-custody issue before trial, and, in any event, no evidence had been extracted from or introduced from the phone and a chain-of-custody issue would concern the weight rather than admissibility of evidence. Finally, the court rejected Lawson's challenge to the timeliness of the State's response, finding that the trial court properly managed its docket, Lawson never objected to the extension or demonstrated plain error, and he failed to show that the outcome would have been different. The court therefore overruled Lawson's assignments of error and affirmed the trial court's judgment.	King	8/21/2026



Stark County Law Library
110 Central Plaza South, Suite 401, Canton, OH 44702
www.starkcountyohio.gov/law-library



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. Rehard	2025CA0027	Appeal from the Coshocton County Court of Common Pleas, Case No. 2025CR0002	Affirmed	Ineffective assistance of trial counsel Defendant-Appellant Hunter Rehard appealed his conviction and sentence for aggravated trafficking in drugs, arguing that his trial counsel was ineffective for failing to move to withdraw his guilty plea after the trial court imposed a seven-to-ten-and-a-half-year indefinite prison term, which was greater than the four-to-six-year sentence counsel had requested. The Fifth District Court of Appeals rejected the claim, finding Rehard's argument speculative because the record did not show that he actually wanted to withdraw his plea or proceed to trial, and there was no jointly recommended sentence as part of the plea agreement. During the plea hearing, Rehard acknowledged that he understood the potential sentencing range, that prison was mandatory, and that no sentencing promises had been made. The trial court imposed a sentence within the statutory range after considering Rehard's recent minimum sentence for a similar drug offense and his lack of rehabilitation. The appellate court further held that even if counsel had immediately sought withdrawal, Rehard could not establish a legitimate basis for doing so because dissatisfaction or a change of heart after receiving a harsher-than-expected sentence does not constitute manifest injustice under Crim.R. 32.1. Accordingly, Rehard failed to demonstrate deficient performance or prejudice, and the court overruled his sole assignment of error and affirmed the judgment.	King	8/21/2026
State v. Hinton	26-COA-006	Appeal from the Ashland County Court of Common Pleas, Case No. 24-CRI-232	Affirmed	Post-release control; R.C. 2967.28; Trial court's duty to inform regarding post-release control Defendant-Appellant Seth Hinton appealed the Ashland County Court of Common Pleas' imposition of post-release control (PRC), arguing that the trial court failed to orally advise him of the duration of PRC at sentencing. Hinton pleaded guilty to several drug offenses and received an aggregate indefinite prison term of nine and one-half to thirteen years, along with mandatory PRC of eighteen months to three years. The Fifth District Court of Appeals rejected his argument, finding that although Hinton quoted only the portion of the sentencing hearing stating that PRC was mandatory, the trial court also expressly stated that PRC was mandatory "for up to three years in this case." The court further found that the trial court properly advised Hinton that the Adult Parole Authority would supervise him, explained the consequences of violating PRC, and addressed the additional consequences of committing a new felony while on PRC. Those advisements were also fully incorporated into the sentencing entry. Because the trial court satisfied the requirements for properly imposing PRC and Hinton's sentence was not contrary to law, the court overruled his sole assignment of error and affirmed the judgment.	Montgomery	8/21/2026
State v. Kennedy	2026CA00091	Appeal from the Stark County Canton Municipal Court Case No. 2006 CRB 04017	Affirmed	Crim.R. 32 Defendant-Appellant Anthony Dominic Kennedy, Sr. appealed the Canton Municipal Court's denial of his motion to withdraw a no-contest plea entered in 2006 for domestic violence. Kennedy argued nearly 20 years later that his plea was not knowingly, intelligently, or voluntarily made because he was unrepresented and that the record did not demonstrate compliance with Crim.R. 11. The Fifth District Court of Appeals affirmed, finding that Kennedy failed to provide transcripts of either his original plea hearing or the hearing on his motion to withdraw the plea, leaving the appellate court unable to review the proceedings and requiring it to presume the regularity of the trial court's actions. The court noted that the burden to provide necessary transcripts rests with the appellant and that the passage of time and possible unavailability of the 2006 record did not eliminate the presumption of regularity. The court also rejected Kennedy's claim that the trial court improperly relied on materials not provided to him, explaining that the signed plea form had been provided to Kennedy when he entered his plea and that discovery is generally unavailable in post-conviction proceedings. Accordingly, Kennedy's sole assignment of error was overruled, and the judgment of the Canton Municipal Court was affirmed.	King	8/24/2026
In re J.H.	2026CA00087	Appeal from the Stark County Court of Common Pleas, Juvenile Division, Case No. 2023-JCV-1357	Affirmed	Permanent Custody Father appealed the Stark County Court of Common Pleas, Juvenile Division's judgment terminating his parental rights to J.H. and granting permanent custody to Stark County Job and Family Services (SCJFS). He argued that the permanent-custody decision was against the manifest weight of the evidence and that SCJFS failed to make reasonable efforts toward reunification. Although Father substantially completed his case plan, including parenting programs, counseling, and a drug-and-alcohol assessment, caseworkers and parenting evaluators remained concerned that he could not safely parent or protect J.H., particularly because he supported Mother's continued belief that J.H.'s sibling had not been sexually abused and failed to recognize the dangers posed by certain individuals. The intensive parenting program issued Father only a certificate of attendance and recommended against unsupervised visitation or reunification, while J.H. was bonded with her foster mother and sibling and had been in agency custody for more than 12 of the preceding 22 months. The appellate court held that competent and credible evidence supported the trial court's finding that permanent custody was in J.H.'s best interest and emphasized that completion of a case plan does not guarantee reunification. The court also found that SCJFS had made reasonable reunification efforts, noting that the trial court had repeatedly made reasonable-efforts findings throughout the case and that Father had not objected to them; moreover, the evidence showed the agency's case planning and services were reasonable and diligent under the circumstances. Accordingly, both of Father's assignments of error were overruled, and the judgment granting permanent custody to SCJFS was affirmed.	Popham	8/24/2026



Stark County Law Library
110 Central Plaza South, Suite 401, Canton, OH 44702
www.starkcountyohio.gov/law-library



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
In re J.H.	2026CA00085	Appeal from the Stark County Court of Common Pleas, Juvenile Division, Case No. 2023-JCV-1357	Affirmed	Permanent Custody Mother appealed the Stark County Court of Common Pleas, Juvenile Division’s judgment terminating her parental rights to J.H. and granting permanent custody to Stark County Job and Family Services (SCJFS), arguing that permanent custody was not in J.H.’s best interest and that the agency failed to make reasonable efforts toward reunification. Although Mother substantially completed portions of her case plan, maintained stable housing, and participated in mental-health and parenting services, the evidence showed that she continued to deny or minimize the sexual abuse of J.H.’s sibling, J.J., failed to demonstrate that she could retain and apply parenting information, and exhibited poor judgment and boundaries, including continued contact with individuals she acknowledged posed risks. Mother received only a certificate of attendance from the intensive Goodwill Parenting program and was not permitted to repeat it because program staff believed she was not close to successfully understanding and applying the necessary skills. Evidence also showed Mother had difficulty recognizing J.H.’s needs during visits and remained focused on the goal of regaining custody of J.J., raising concerns that J.H.’s needs would not be her primary focus. J.H., meanwhile, was strongly bonded with her foster mother and sibling and had been in agency custody for more than 12 of the preceding 22 months. The appellate court found competent and credible evidence supported the trial court’s determination that permanent custody was in J.H.’s best interest and emphasized that completion of a case plan alone does not establish that the conditions leading to removal have been remedied. The court further found that SCJFS had made reasonable and diligent reunification efforts throughout the case and that Mother had not objected to prior reasonable-efforts findings. Accordingly, both assignments of error were overruled, and the trial court’s judgment granting permanent custody to SCJFS was affirmed.	Popham	8/24/2026
Burgard v. Spicer	2025 CA 0108	Appeal from the Richland County Court of Common Pleas, Domestic Relations Division, Case No. 2025 CPO 0265	Affirmed	Domestic Violence Civil Protection Order Cordero Spicer appealed the Richland County Court of Common Pleas, Domestic Relations Division’s decision overruling his objections to a civil protection order issued in favor of Emily Burgard. Burgard testified that during their years of living together, Spicer repeatedly assaulted her, including striking her with a belt and causing bruises and black eyes, threatening her with a handgun, and restricting her ability to leave the home or visit family. She also testified that she feared Spicer because he had threatened to kill her if she contacted police and later attempted to contact her after she left the home. Spicer denied the allegations and claimed Burgard’s injuries resulted from falls while intoxicated, but the magistrate found Burgard credible and Spicer not credible and determined that Burgard established by a preponderance of the evidence that domestic violence had occurred and that her fear of further harm was objectively reasonable. On appeal, Spicer argued that the protection order should not have been granted because Burgard presented no corroborating evidence, such as police reports, medical records, or additional witnesses. The Fifth District Court of Appeals rejected that argument, explaining that Ohio law does not require corroborating evidence to establish domestic violence because a victim’s testimony alone may satisfy the preponderance-of-the-evidence standard. Because competent and credible evidence supported the trial court’s findings and the trial court was in the best position to assess witness credibility, the appellate court found no abuse of discretion, overruled Spicer’s assignment of error, and affirmed the civil protection order.	Popham	8/24/2026
State v Muskingum	CT2026-0057	Mandamus Case Muskingum County	Case Dismissed	Because the records kept by a county children’s-services agency concerning not only the care and treatment of children but also any investigations of families, children, and foster homes are confidential under R.C. 5153.17(B), those records are not public records under Ohio’s Public Records Act in R.C. 149.43. Conway filed a mandamus action seeking to compel the Muskingum County Adult and Child Protective Services Agency and Assistant Prosecuting Attorney Mark Zanghi to produce records concerning a foster child placed in the Conway home, including the child’s psychological, behavioral, medical, and developmental history. The court granted summary judgment to both respondents and dismissed the complaint. The court first held that Zanghi had no clear legal duty to produce the records because, although he represented the Agency, he did not maintain or oversee its records and was not responsible for providing them. The court further held that the requested children’s-services records were confidential under R.C. 5153.17 and therefore excluded from the definition of “public records” under R.C. 149.43 because their disclosure was prohibited by law. Conway failed to establish any good cause that would justify releasing the confidential records. Because the Agency had no clear legal duty to disclose the records, Conway was also not entitled to statutory damages or court costs. Accordingly, the court granted summary judgment to Zanghi and the Agency, denied Conway’s motions for summary judgment, and dismissed the case.	Gormley	8/25/2026



Stark County Law Library
110 Central Plaza South, Suite 401, Canton, OH 44702
www.starkcountyohio.gov/law-library



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. P.G.	2026 CA 00004	Appeal from the Licking County Municipal Court, Case No. 10CRB01862	Vacated and Remanded	Error Not to Grant Motion to Expunge Defendant-appellant P.G. appealed the Licking County Municipal Court's denial of her motion to expunge her 2010 misdemeanor convictions for possession of drugs and possession of drug instruments under R.C. 2953.32. At the December 16, 2025 hearing, the trial court found that P.G.'s interest in sealing the records outweighed the government's interest in maintaining them and granted her motion to seal, but it nevertheless denied her request for expungement, finding the government's interest in keeping the records sealed outweighed P.G.'s interest in expunging them. On appeal, the State conceded that the trial court erred in denying the expungement. The Fifth District Court of Appeals therefore sustained P.G.'s first assignment of error, found her second assignment of error moot, vacated the trial court's judgment, and remanded the matter with instructions for the trial court to issue an order expunging P.G.'s record.	Hoffman	8/25/2026
State v. Kocsis	26-CA-12	Appeal from the Guernsey County Court of Common Pleas, Case No. 25-CR-33	Affirmed	Sentence was properly imposed under the felony sentencing statutes Defendant-appellant Logan Kocsis appealed his January 29, 2026 sentence from the Guernsey County Common Pleas Court after pleading no contest to two amended counts of third-degree felony child endangering arising from injuries sustained by his two-month-old child, who suffered bruising and three fractured ribs. The trial court imposed consecutive 24-month prison terms for a total of 48 months. Kocsis argued the sentence violated Ohio's felony sentencing statutes because the trial court failed to properly consider R.C. 2929.11 and R.C. 2929.12. The Fifth District Court of Appeals rejected the argument, finding the sentencing entry expressly showed that the court considered the purposes and principles of felony sentencing and the seriousness and recidivism factors, including the victim's young age, serious physical injuries, and Kocsis's high risk of reoffending. The appellate court also found that the trial court made and incorporated the required findings under R.C. 2929.14(C)(4) to impose consecutive sentences, properly imposed postrelease control, and did not rely on impermissible considerations. Accordingly, the court held that the sentence was not clearly and convincingly contrary to law, overruled Kocsis's sole assignment of error, and affirmed the judgment	King	8/25/2026
Hershberger v. Hershberger	2026 CA 00005	Appeal from the Court of Common Pleas of Fairfield County , Domestic Relations Division, Case No. 2022 DR 00312	Affirmed	Where no transcript of proceedings before a magistrate is presented with a party's objections to the magistrate's decision, the trial judge rightly accepts the magistrate's factual findings as correct. Absent evidence sufficient to overcome the presumption that property acquired during a marriage should be viewed as marital property in a divorce case, the trial court in this case correctly found that the husband's businesses created during the marriage were marital property rather than separate property. Sylvan Hershberger appealed the Fairfield County Domestic Relations Division's determination that his two concrete businesses, Hershberger Decorative Concrete LLC and Hershberger Concrete Design LLC, were marital rather than separate property in his divorce from Charlette Hershberger. Although Sylvan argued that he had developed his concrete skills and worked in the industry before the marriage, both businesses were established during the marriage, and he failed to provide evidence tracing any premarital assets or property into the businesses. The Fifth District Court of Appeals also rejected Sylvan's claim that the trial court failed to independently review his objections to the magistrate's decision, noting that he failed to provide a transcript with his objections and that the trial court properly reviewed the magistrate's legal conclusions based on the established factual findings. Because property acquired during marriage is presumed marital and Sylvan failed to meet his burden of proving a traceable separate-property interest, the court found no abuse of discretion and affirmed the trial court's judgment classifying both LLCs as marital property.	Gormley	8/25/2026
In re L.B.	2026CA00082	Appeal from the Stark County Court of Common Pleas, Family Court Division, Case No. 2024JCV01268	Affirmed	Permanent custody; Best interest of child; R.C. 2151.414(D); R.C. 2151.414(B)(1)(d); Clear and convincing evidence The Fifth District Court of Appeals affirmed the Stark County Court of Common Pleas' decision granting the Stark County Department of Job and Family Services permanent custody of L.B. Father argued that the trial court lacked clear and convincing evidence that L.B. could not be placed with him within a reasonable time and that permanent custody was not in L.B.'s best interest. The appellate court rejected both arguments. It found that L.B. had remained in the Agency's temporary custody for nearly 17 months of a 22-month period, satisfying R.C. 2151.414(B)(1)(d), which independently supported the permanent-custody determination without requiring consideration of whether L.B. could be placed with Father within a reasonable time. The court also found competent, credible evidence supporting the best-interest determination, noting Father's failure to complete required case-plan services, refusal to address mental-health and parenting concerns, inconsistent visitation, failure to make meaningful changes, and concerns regarding the safety and suitability of his home. In contrast, L.B. was thriving in her foster placement, making significant academic, developmental, social, and emotional progress, was bonded with her foster family, and expressed a desire to remain there; the foster parents were also willing to adopt her. Father's proposed placement with a paternal aunt did not alter the analysis because the aunt did not appear at the hearing or provide the required documentation indicating her willingness and suitability to assume custody. Accordingly, the court overruled both assignments of error and affirmed the judgment terminating Father's parental rights and granting the Agency permanent custody of L.B.	Montgomery	8/26/2026



Stark County Law Library
110 Central Plaza South, Suite 401, Canton, OH 44702
www.starkcountyohio.gov/law-library



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. Ramsey	2026 CA 0049	Appeal from the Richland County Court of Common Pleas, Case No. 14-CR-0343R	Affirmed	Res Judicata; Sexually Violent Predator Specification The Fifth District Court of Appeals affirmed the Richland County Court of Common Pleas' denial of Rashaun M. Ramsey's motion to vacate the sexually violent predator specifications and correct his sentence. Ramsey was convicted in 2014 of rape, kidnapping, drug possession, and failure to notify of a change of address, and the trial court found him guilty of sexually violent predator specifications associated with the rape and one kidnapping count, imposing an aggregate sentence of 25 years to life. After his convictions and sentence were affirmed on direct appeal, Ramsey filed several later motions challenging the specifications and sentencing. In his latest appeal, he argued that the trial court improperly interpreted the sexually violent predator statute and that prior convictions could not alone establish that he was likely to engage in future sexually violent offenses. The appellate court rejected all of his arguments, holding that the August 20, 2014 judgment was a final appealable order and that any alleged errors concerning the specifications could and should have been raised in his direct appeal. Because the claims involved non-void sentencing errors that were not previously raised, the doctrine of res judicata barred their consideration in the later proceedings. The court therefore overruled all five assignments of error and affirmed the trial court's judgment.	Hoffman	8/26/2026
In re A.H.	25 CAF 10 0096	Appeal from the Delaware County Court of Common Pleas, Juvenile Division, Case No. 24-08-1671-DL	Affirmed	Manifest weight The Delaware County Court of Common Pleas, Juvenile Division, adjudicated A.H. delinquent for two counts of rape and one count of gross sexual imposition involving her six-year-old half-sister, and the Fifth District Court of Appeals affirmed. A.H. argued that her adjudication was against the manifest weight of the evidence, challenging the credibility of the victim's statements, the absence of physical evidence, the forensic interviewer's questioning, and the circumstances of her own police interview. The appellate court rejected these arguments, emphasizing that the victim provided a detailed forensic interview describing the sexual conduct and demonstrating how A.H. had touched her, including digitally penetrating her and engaging in inappropriate oral contact, and that the victim reported A.H. told her not to disclose what happened. The court noted that the victim's normal physical examination did not undermine her allegations because the examining physician testified that such conduct would not necessarily produce physical evidence. The court further concluded that the victim's detailed account was sufficiently compelling to establish the offenses beyond a reasonable doubt even without considering other evidence, including A.H.'s police interview. Because the evidence did not weigh heavily against the adjudication and the juvenile court did not clearly lose its way, the appellate court overruled A.H.'s sole assignment of error and affirmed the judgment.	King	8/26/2026
State v. Harris	CT2026-0047	Appeal from the Muskingum County Court of Common Pleas, Case No. CR2024-0296	Affirmed	Trial Court did not abuse its discretion in sentencing Appellant after second violation of community control Defendant-appellant Russell Harris appealed the Muskingum County Court of Common Pleas' May 1, 2026 judgment revoking his community control and sentencing him to an aggregate 12 months in prison after he repeatedly violated the conditions of community control. Harris originally pleaded guilty to OVI, failure to comply with a police order, and felony obstruction of official business and was placed on three years of community control, but he later admitted using cocaine, opiates, and alcohol, resulting in a first violation and an additional two years of community control with residential treatment. After again violating the conditions by failing to report, testing positive for oxycodone, consuming alcohol, and absconding, the trial court revoked community control and imposed 180 days each on the misdemeanor counts and 12 months on the felony, to be served concurrently. On appeal, Harris argued the sentence did not reflect the minimum sanctions required by R.C. 2929.11 and that the court failed to give sufficient weight to mitigating factors. The Fifth District Court of Appeals rejected the argument, holding that under R.C. 2929.15(B), the trial court had broad discretion to impose a prison term within the statutory range after a community-control violation, and it was not required to provide findings or reasons for the prison term. The court also found that Harris had been properly notified at both his original sentencing and first violation hearing that a 12-month prison term could be imposed if he violated community control again. Because Harris had twice demonstrated that he was not amenable to community control, the trial court did not abuse its discretion in revoking community control and imposing the reserved 12-month prison sentence. The judgment was therefore affirmed.	Hoffman	8/27/2026



Stark County Law Library
110 Central Plaza South, Suite 401, Canton, OH 44702
www.starkcountyohio.gov/law-library



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. Christine	26CA000002	Appeal from the Knox County Court of Common Pleas, Case No. 25CR06-0120	Affirmed	Failure to provide vehicle information; Sentencing Appellant Christopher M. Christine appealed his conviction and 15-month prison sentence following a negotiated guilty plea to failure to provide a change in vehicle information, arguing that his plea was not knowingly, intelligently, and voluntarily entered because the trial court failed to advise him that a guilty plea constitutes a complete admission of guilt and that the court could proceed immediately to judgment and sentencing. The Fifth District Court of Appeals affirmed, finding that the trial court substantially complied with Crim.R. 11. Although the court did not use the exact phrase that a guilty plea is a "complete admission of guilt," it obtained Christine's express acknowledgment that he admitted the facts underlying the offense and his guilt, and Christine never claimed he was innocent or that he would have rejected the plea had the advisement been given. The court also rejected his claim concerning the failure to advise him that sentencing could occur immediately, reasoning that this was a nonconstitutional advisement and that Christine could not demonstrate prejudice because sentencing was actually postponed for more than a month. Accordingly, because the record showed that Christine understood the nature and consequences of his plea and failed to establish prejudice from any omitted advisements, the court overruled his sole assignment of error and affirmed the judgment of the Knox County Court of Common Pleas.	Popham	8/27/2026
Leschinski v. Rizer	2026 CA 00001	Appeal from the Fairfield County Court of Common Pleas, Domestic Relations Division, Case No. 23 PA 153	Affirmed	R.C. 3109(F); Shared parenting; Legal custody; Best interest of child; R.C. 3109.05 Mother-Appellant Jacklyn Rizer nka Jacklyn Smith appealed the Fairfield County Court of Common Pleas' judgment awarding legal custody of her minor child, L.L., to Father, Jason Leschinski, with Mother receiving supervised parenting time and Mother's husband, David Smith, prohibited from having contact with L.L. The trial court's decision followed evidence that Smith had been accused of sexually abusing his former stepdaughter, that Mother knew of the allegations but continued to defend Smith, married him, and allowed him to live with L.L. despite concerns raised by law enforcement and the guardian ad litem. On appeal, Mother argued that the trial court improperly adjudicated abuse allegations against Smith, lacked jurisdiction to impose a no-contact restriction on him, was barred by prior Pike County proceedings from considering the allegations, and improperly relied on the earlier emergency custody order. The Fifth District Court of Appeals rejected all four assignments of error, first concluding that Mother lacked standing to assert claims belonging to Smith, who was not a party to the case, and noting that her pro se brief also failed to comply with App.R. 16. Nevertheless, the court reviewed the merits and held that the trial court properly considered evidence concerning Smith as part of its statutory duty to evaluate L.L.'s best interests, including the child's home environment, potential for abuse, and the conduct and judgment of persons who could significantly affect the child. The court further found that the prior Pike County proceedings involved different parties and circumstances and did not prevent the trial court from independently evaluating L.L.'s best interests. Finally, challenges to the 2023 temporary emergency custody order were moot because the order was interlocutory and was superseded by the final custody judgment, and Mother had agreed to subsequent temporary arrangements. Finding competent, credible evidence supporting the custody determination and no abuse of discretion, the appellate court affirmed the trial court's judgment in all respects.	Montgomery	8/27/2026