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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. Powell	25 CA 15	Appeal from the Guernsey County Court of Common Pleas, Case No. 24 CR 135	Affirmed	Denial of motion to suppress Defendant-Appellant Paige Powell appealed the February 13, 2025 judgment of the Guernsey County Court of Common Pleas denying her motion to suppress evidence obtained during a March 30, 2024 police encounter, but the appellate court affirmed. Powell had been indicted on two counts of aggravated possession of drugs and one count of illegal conveyance of drugs into a detention facility, with the challenged count arising from an encounter in which a Cambridge police officer approached her parked vehicle near a known narcotics residence. The officer recognized Powell from a recent drug arrest, observed sandwich baggies commonly used for narcotics, and noted her nervous behavior and reluctance to relinquish her purse, which later contained drug paraphernalia. The trial court found the initial interaction was a consensual encounter that lawfully escalated into an investigatory stop supported by reasonable suspicion based on the totality of the circumstances. Applying the mixed standard of review for suppression rulings, the appellate court agreed that no seizure occurred initially and that specific, articulable facts justified the detention, concluding the trial court properly denied the motion to suppress and affirming Powell's convictions and sentence.	King	2/20/2026
State v. Anderson	25 CAA 07 0062	Appeal from the Delaware County Court of Common Pleas, Case No. 25 CRI 03 0132	Affirmed	Consecutive sentence was properly imposed Defendant-Appellant Jeremy A. Anderson appealed his July 2, 2025 sentence from the Delaware County Court of Common Pleas, arguing the trial court improperly imposed consecutive prison terms, but the appellate court affirmed. Anderson pled guilty to two counts of aggravated vehicular assault after driving while intoxicated with a blood alcohol content of .218 and traveling approximately 82 m.p.h. on U.S. Route 23, where he crashed into a vehicle carrying a family of four and caused significant physical and psychological injuries. The trial court sentenced him to four years on each third-degree felony count, to be served consecutively for a total of eight years in prison. On appeal, Anderson claimed the record did not support the findings required for consecutive sentences under R.C. 2929.14(C)(4). The appellate court found the sentences were within the statutory range and that the trial court properly considered the purposes and principles of felony sentencing, victim-impact evidence, Anderson's history, remorse, and the severity of harm caused. Because the trial court made the required statutory findings and the record supported that the harm was great and consecutive sentences were necessary to protect the public and punish the offender, the sentence was not clearly and convincingly contrary to law, and the judgment was affirmed.	King	2/20/2026
MJK Recycling, L.L.C. v. Republic Servs.	CT2025-0079	Appeal from the Muskingum County Court of Common Pleas, Case No. CH2023-0206	Affirmed	Enforce settlement agreement; Contract principles; Motion to enforce; Essential terms of contract; Oral settlement is enforceable; Meeting of the minds; Law favors settlement; A party cannot unilaterally repudiate agreement The Plaintiff-Appellant appealed the Muskingum County Court of Common Pleas' decision granting Defendants-Appellees' motion to enforce a settlement agreement arising from a dispute over access to a jointly owned property containing a closed landfill. BFIO, which owned two-thirds of the property and performed legally required post-closure landfill care, had long used an access road located on Appellant's property and historically paid a monthly fee for that use. After negotiations over increased payments led to litigation, the parties exchanged settlement offers in 2024 and agreed that BFIO would pay \$2,000 per month only in months when it actually used the access road. Emails confirming agreement, subsequent drafting of settlement documents, and a jointly filed notice of settlement demonstrated mutual assent to the essential terms. When Appellant later attempted to change the payment structure to guaranteed monthly payments regardless of use and refused to sign final documents, BFIO moved to enforce the settlement. The trial court found a binding agreement existed and ordered execution of the settlement documents, and the appellate court affirmed, holding that competent, credible evidence showed a meeting of the minds on the essential payment term and that a settlement agreement may be enforceable even if later formal documents remain unfinished.	Montgomery	2/23/2026
State v. Rollins	25CA000023	Appeal from the Guernsey County Court of Common Pleas, Case No. 25-CR-000035	Affirmed	Anders Brianna Rollins appealed her conviction and sentence following a negotiated guilty plea to aggravated possession of drugs after law enforcement discovered approximately 419.96 grams of methamphetamine in a hotel room she occupied with a suspected trafficker. Pursuant to a plea agreement, Rollins pleaded guilty to one first-degree felony count in exchange for dismissal of a major drug offender specification and an additional charge, with both parties jointly recommending an indefinite prison term of 9 to 13.5 years. Her appellate counsel filed an Anders brief asserting no meritorious grounds for appeal but raising as potential issues whether the trial court properly accepted the plea and imposed sentence. After independently reviewing the record, the appellate court found the trial court fully complied with Criminal Rule 11 by ensuring the plea was knowing, intelligent, and voluntary, and that Rollins understood the rights she waived and the penalties involved. The court also held the sentence was authorized by law and not subject to appellate review because it was jointly recommended and imposed as agreed. Concluding the appeal was wholly frivolous, the court granted counsel's motion to withdraw and affirmed the judgment of the trial court.	Baldwin	2/23/2026

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Deutsche Bank Natl. Trust Co. v. Wolfe	2025 CA 00011	Appeal from the Court of Common Pleas of Fairfield County , Case No. 2021 CV 00170	Affirmed	A motion for relief from judgment cannot be used to attack the evidence that supported the trial court's judgment, and the trial court in this case properly denied a Civil Rule 60(B) motion for relief from judgment where the only issue raised in that motion was one that could have been raised before the initial judgment had been entered. Intervenors Anita Graf and Neil Morgan appealed the denial of their Civ.R. 60(B) motion seeking relief from a November 2023 foreclosure judgment entered in favor of Deutsche Bank, arguing the bank fraudulently obtained the decree by submitting payment records that allegedly failed to credit four mortgage payments they claimed to have made in 2022. The foreclosure action began after the borrower, Robert Wolfe, defaulted on a promissory note secured by the property, and although Graf and Morgan intervened claiming an interest through a land contract, they did not challenge the bank's payment history or present contrary evidence during summary-judgment proceedings or in their prior appeal. The appellate court held that Civ.R. 60(B) relief was improper because their claims merely attacked the accuracy of evidence relied upon at summary judgment—issues that could and should have been raised earlier—and their motion offered no new evidentiary support beyond an unsigned affidavit. Concluding the trial court did not abuse its discretion, the appellate court affirmed the denial of relief from judgment.	Gormley	2/23/2026
State v. Humphrey	25 CAA 08 0066	Appeal from the Delaware County Court of Common Pleas, Case No. 25 CRI 06 0391	Affirmed	Anders review Karin Humphrey appealed her convictions and sentences after pleading guilty to two counts of first-degree felony possession of cocaine and one count of obstructing official business, the latter arising from an incident in which she removed her GPS monitor while on pretrial release and kicked a probation officer during an attempted arrest. Appointed appellate counsel filed an Anders brief asserting no non-frivolous issues for appeal and moved to withdraw, suggesting only that the trial court may have erred in accepting Humphrey's guilty pleas and imposing sentence. After conducting an independent review, the appellate court found the trial court fully complied with Criminal Rule 11, ensuring Humphrey's pleas were knowing, intelligent, and voluntary, and that the sentences were within statutory limits and properly supported by the purposes and principles of felony sentencing, including findings justifying consecutive terms. Concluding the appeal was wholly frivolous, the court granted counsel's motion to withdraw and affirmed the judgment of the Delaware County Court of Common Pleas.	Montgomery	2/23/2026
State v. Humphrey	25 CAA 08 0067	Appeal from the Delaware County Court of Common Pleas, Case No. 25 CRI 04 0270	Affirmed	Anders review Following the filing of an Anders brief and motion to withdraw by appointed appellate counsel, Attorney April F. Campbell, the appellate court reviewed Karin Humphrey's appeal from her convictions and sentences in Delaware County. Humphrey's charges stemmed from two search warrants executed in 2023 and 2024 that resulted in the seizure of large quantities of cocaine and other drugs, cash, and a firearm, as well as a separate incident in which she removed her GPS monitor while on pretrial release and kicked a probation officer during an attempted arrest, leading to an additional obstruction charge. Pursuant to plea negotiations, Humphrey pleaded guilty to two first-degree felony counts of possession of cocaine and one count of obstructing official business, with other charges dismissed. The trial court imposed consecutive indefinite prison terms totaling more than nineteen years. After independently reviewing the record as required under Anders v. California, the appellate court found the trial court fully complied with Criminal Rule 11, concluding Humphrey's guilty pleas were knowing, intelligent, and voluntary, and that her sentences were within statutory limits and supported by proper consecutive-sentence findings. Determining that no non-frivolous issues existed for appeal, the court granted counsel's motion to withdraw and affirmed the judgment of the trial court.	Montgomery	2/23/2026
State v. Canter	25CA000018	Appeal from the Guernsey County Court of Common Pleas, Case No. 24-CR-159	Affirmed	Restitution hearing Defendant-Appellant Dustin Canter appealed the Guernsey County Court of Common Pleas' sentencing judgment ordering him to pay \$4,846 in restitution after pleading no contest to receiving stolen property, arguing the trial court violated his due process rights by denying him a meaningful hearing on restitution. The appellate court affirmed the sentence, finding that Canter had agreed in his negotiated plea that restitution would be determined at sentencing and was informed in advance that evidence and testimony would be presented at that hearing. During sentencing, both parties were permitted to present evidence and challenge the restitution amount, and Canter, through counsel, disputed the victim's valuation but did not request a separate hearing or object after the court set the final amount. Because Ohio law requires a restitution hearing only when the amount is disputed and Canter received an opportunity to be heard in a meaningful manner, the court concluded his due process rights were not violated and that the record supported the trial court's restitution order.	Montgomery	2/24/2026

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State v. Branch	2025 CA 00039	Appeal from the Stark County Court of Common Pleas, Case No. 2024 CR 2546	Affirmed	Cohabitation Defendant-Appellant Eric Branch appealed his conviction and 36-month prison sentence for domestic violence following a bench trial in the Stark County Court of Common Pleas, arguing that the State presented insufficient evidence because it failed to prove he and the victim were “family or household members.” Branch had originally been indicted on multiple charges, including attempted murder, kidnapping, felonious assault, domestic violence, and abduction, but the State dismissed some counts and a jury acquitted him of the remaining serious offenses, leaving the domestic violence charge for a bench trial. Evidence showed Branch and the victim were in a year-long romantic relationship and intermittently lived together for about six months, during which several violent incidents occurred that ultimately preceded the victim’s hospitalization for a serious brain injury. Witness testimony, medical evidence, and law enforcement investigation supported the allegations, and Branch presented no evidence in his defense. On appeal, the court held that the victim’s testimony establishing a romantic relationship and shared residence was sufficient to prove cohabitation under Ohio law, satisfying the “family or household member” element of domestic violence. Concluding that a rational trier of fact could find the essential elements proven beyond a reasonable doubt, the appellate court overruled Branch’s assignment of error and affirmed the conviction and sentence.	Popham	2/26/2026
Crum-Cianflone v. Cianflone	2025 CA 00037	Appeal from the Richland County Court of Common Pleas, Domestic Relations Division, Case No. 2022 RFO 0577	Vacated; and Remanded	Choice of Law; Language of Settlement Agreement Defendant-appellant Michael A. Cianflone appealed a Richland County Court of Common Pleas decision finding his former spouse, Nancy F. Crum-Cianflone, was not in contempt for failing to pay additional spousal support based on certain employment compensation the trial court determined was not a “bonus” under the parties’ marital settlement agreement. The parties’ California divorce decree required Appellee to pay monthly spousal support plus 18.5% of any employment bonuses, and after relocating to Ohio, Appellant sought contempt, arguing quarterly payments tied to Appellee’s physician productivity (RVU-based compensation) qualified as bonuses. Following extensive testimony, the trial court concluded the payments were merely earned income rather than bonuses and denied contempt. On appeal, the court held that California law governed interpretation of the agreement under its choice-of-law clause and reviewed the contract de novo. The appellate court determined the employment contract and settlement agreement unambiguously treated the additional RVU-based payments as bonuses, reasoning that the parties were aware of the compensation structure when drafting the agreement and that excluding those payments would render the bonus provision meaningless. Finding the trial court misinterpreted the agreement, the appellate court vacated the judgment and remanded the matter for the trial court to determine whether Appellee acted in willful contempt and to calculate the additional spousal support owed consistent with its interpretation.	Hoffman	2/26/2026
State v. Anderson	2025 CA 00021	Appeal from the Licking County Court of Common Pleas, Case No. 2024-CR-00397	Affirmed	Manifest Weight; Sufficiency Defendant-Appellant Joshua Anderson appealed his March 21, 2025 convictions and six-to-nine-year prison sentence from the Licking County Court of Common Pleas, arguing the evidence was insufficient to prove he participated in an arson and related offenses. The evidence at trial showed Anderson recruited and pressured John Carter to burn a victim’s truck to satisfy a drug debt, provided Carter with his vehicle and a prepared incendiary device, supplied the target’s address, and communicated threats and instructions by text message before and after the fire, which caused more than \$30,000 in damage. Carter testified pursuant to a plea agreement, and investigators corroborated his account through phone records, fire-marshall evidence confirming arson, and location data contradicting Anderson’s alibi. Although Anderson challenged Carter’s credibility and the weight of the evidence, the appellate court held that credibility determinations belonged to the jury and that sufficient evidence supported each element of aggravated arson, arson, and breaking and entering under a complicity theory. Finding the convictions supported by both sufficient evidence and the manifest weight of the evidence, the appellate court affirmed the trial court’s judgment.	King	2/27/2026
State v. Price	2025 CA 00048	Appeal from the Stark County Court of Common Pleas, Case No. 2024 CR 2418	Affirmed	Sufficiency - Manifest Weight Defendant-Appellant Alonzo David Price appealed his conviction for felonious assault following a jury trial in the Stark County Court of Common Pleas, challenging both the sufficiency and the manifest weight of the evidence. Price was originally indicted on multiple charges arising from a November 18, 2024 incident involving his girlfriend, M.L., but after acquittals on several counts and a mistrial on felonious assault, he was retried and convicted on that charge. Evidence at retrial showed that during an argument, Price prevented M.L. from leaving, took apart her phone while she attempted to call 9-1-1, threw her to the ground, and stomped on her knee, causing a fracture that required surgery and prolonged rehabilitation. Her testimony was corroborated by text messages seeking help, police observations, medical evidence, and items recovered from the residence. Price argued the State failed to prove he acted knowingly and attacked the victim’s credibility, but the appellate court held that a rational jury could infer intent from the violent act itself and that credibility determinations were for the jury to decide. Finding the evidence sufficient and the conviction supported by the manifest weight of the evidence, the appellate court affirmed the trial court’s judgment and Price’s eight-to-twelve-year prison sentence.	Popham	2/27/2026

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State v. Reed	2025 CA 0018	Appeal from the Richland County Court of Common Pleas, Case No. 2023 CR 0883 R	Affirmed	Participation in criminal gang Defendant-Appellant Anthony Reed appealed his convictions and aggregate prison sentence following a jury trial in the Richland County Court of Common Pleas, where he was found guilty of cocaine and fentanyl trafficking and possession, as well as participating in a criminal gang. The charges stemmed from an April 18, 2023 traffic stop in Mansfield during which police discovered large quantities of narcotics hidden in a vehicle in which Reed was a passenger, along with multiple cell phones, cash, and evidence linking Reed to drug trafficking through extensive text-message communications. Investigators testified that the drugs were consistent with trafficking rather than personal use and presented expert testimony establishing Reed's active involvement in the "Bandsfield" gang through tattoos, associations with known members, photographs, videos, and prior criminal activity. The trial court merged certain counts and imposed consecutive sentences totaling a minimum of twenty-eight years and a potential maximum of thirty-three years in prison. On appeal, Reed challenged the sufficiency of the gang-participation evidence, jury instructions, admission of prior-acts evidence, effectiveness of counsel, and the imposition of consecutive sentences. The appellate court rejected each claim, finding the evidence overwhelming, the jury properly instructed, the challenged evidence admissible and not prejudicial, counsel not ineffective, and the consecutive sentences supported by the record, and therefore affirmed the trial court's judgment.	Popham	2/27/2026
State v. Heath	25 CAA 06 0044 & 25 CAA 08 0063	Appeal from the Delaware County Court of Common Pleas, Case Nos. 25 CRI 02 0122 & 23 CRI 03 0112	Vacated and Remanded	Sentencing; Revocation of community control Defendant-Appellant Jeffery Heath appealed the May 28, 2025 judgment of the Delaware County Court of Common Pleas revoking his community control in a 2023 case and imposing consecutive prison sentences totaling twelve to fifteen years, along with an additional sentence in a new 2025 case. Heath had originally received community control after pleading no contest to illegal use of a minor in sexually oriented material and pandering sexually oriented material involving a minor, and the trial court advised that a violation could result in up to twenty years in prison. After new criminal charges, the court revoked community control and imposed prison terms. On appeal, Heath argued the sentences were contrary to law because the trial court failed at the original sentencing to properly notify him of the specific prison term that could be imposed upon a violation and failed to advise that consecutive sentences could be ordered. The appellate court agreed with the first argument, holding that merely advising Heath of a potential maximum of twenty years did not satisfy statutory requirements requiring notice of a specific reserved prison term; therefore, the prison sentences in the 2023 case were unlawful. The court vacated the sentences and remanded for resentencing, finding the consecutive-sentencing issue moot, while a dissenting judge concluded the trial court's notice was sufficient and would have affirmed the judgment.	King	2/27/2026