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 T.W.	26CA0008; 26CA0009	Appeal from the **Coshocton County** Court of Common Pleas, Juvenile Division, Case Nos. 20243043, 20243044	Affirmed	Permanent custody The father appealed the trial court's decision granting permanent custody of his two children to the Agency after failing to complete several court ordered case plan services and continuing to struggle with housing stability, drug screening, and consistent visitation. He argued that permanent custody was not in the children's best interests, the Agency failed to make reasonable efforts toward reunification, and the permanent custody motion did not provide adequate notice of the allegations against him. The appellate court rejected all three arguments, finding that the children needed stability and permanent placement, the father had not completed required services, and the Agency had made reasonable efforts to support reunification. The court also determined that the father received adequate notice and a fair opportunity to present evidence and challenge testimony. Accordingly, the appellate court overruled all three assignments of error and affirmed the trial court's May 5, 2026 decision granting permanent custody of both children to the Agency.	Baldwin	11/6/2026
In re D.B.	2026 CA 00028	Appeal from the **Licking County** Court of Common Pleas, Juvenile Division, Case No. F2025-0395	Reversed and Remanded	Trial Court failed to substantially comply with Juv.R. 29 (D), thus failing to affirmatively determine if juvenile's admission was knowing, voluntary, and intelligent D.B. appealed the juvenile court's decision adjudicating him delinquent for grand theft of a motor vehicle and committing him to the Ohio Department of Youth Services for a minimum of six months, up to his 21st birthday. He argued that the court failed to substantially comply with Juvenile Rule 29(D) because it did not adequately ensure that his admission was knowing, intelligent, and voluntary, and that his attorney provided ineffective assistance by failing to object to the deficient plea colloquy. The State conceded that the court did not adequately explain the nature of the allegations, the consequences of the admission, or the rights D.B. was waiving. The appellate court sustained D.B.'s first assignment of error, found the second assignment moot, reversed the juvenile court's judgment, and remanded the case for further proceedings.	Hoffman	11/6/2026
Palmer v. Sali	26 CAG 04 0038	Appeal from the **Delaware** Municipal Court, Case No. 25 CVI 1903	Affirmed	Landlord tenant Palmer appealed the trial court's decision awarding his former landlord, Manasa Sali, $1,361.40 in a dispute over the return of his $1,985 security deposit. Palmer argued that the court improperly allowed the landlord to offset unpaid rent against the deposit, denied his requests for a continuance and reconsideration while subpoenaed records were outstanding, and restricted his ability to present and preserve evidence. The appellate court found that the trial court properly relied on the magistrate's factual findings because Palmer failed to provide a transcript of the hearing, which prevented him from challenging those findings. The court also determined that Palmer failed to show the denial of his continuance and reconsideration requests was an abuse of discretion or that the court's procedures prejudiced his ability to present evidence. Although the trial court had already removed $750 in late fees from the original $2,111.40 award, the appellate court upheld the remaining $1,361.40 judgment in favor of the landlord and rejected all three assignments of error.	Baldwin	11/6/2026
State v. Coleman	2026 CA 00029	Appeal from the **Licking County** Municipal Court, Case No. 26 CRB 00006	Affirmed	Motion to Withdraw Guilty Plea; Knowingly, Intelligently, Voluntarily Made Coleman appealed his conviction and 180-day jail sentence for misdemeanor assault against his mother, arguing that his guilty plea was not knowingly, intelligently, and voluntarily entered because the trial court failed to explain the effect of the plea. The appellate court found that Coleman had reviewed and signed a written plea form stating that a guilty plea was a complete admission of guilt, initialed each section acknowledging his understanding of the charge, penalties, and rights he was waiving, and confirmed during the hearing that he understood the form and wished to plead guilty. The court also noted that Coleman did not claim actual innocence and that his attorney confirmed he had explained the consequences of the plea. Finding that the trial court sufficiently complied with Criminal Rule 11 and that the plea was valid, the appellate court overruled Coleman's assignment of error and affirmed his conviction and sentence.	Hoffman	11/6/2026
State v. Bates	CT2026-0061	Appeal from the **Muskingum County** Court of Common Pleas, Case No. CR2025-0524	Affirmed	Dismissal by Trial Court/State's Appeal Bates appealed the trial court's decision to dismiss his criminal case, which originally involved six counts of pandering obscenity involving a minor and two counts of rape. Bates had pleaded guilty to an amended charge of sexual battery after an investigation revealed that he and his younger brother had been sexually exploited and threatened by Clay Thomas Wolfe, a 28-year-old man posing online as a teenage girl named "Ally." The trial court found that Wolfe had coerced both brothers into participating in the sexual act and that Bates, who was 14 or 15 when the exploitation began, had no prior criminal history and was unlikely to reoffend. Although the State opposed dismissal, the trial court dismissed the case without prejudice under Criminal Rule 48(B), finding that proceeding with the prosecution would not serve the interests of justice. The State appealed, arguing that the dismissal was an abuse of discretion, but the appellate court upheld the trial court's decision, finding that the extensive circumstances supported dismissal in the interests of justice.	Hoffman	11/6/2026

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. Hawley	26 CA 018	Appeal from the Court of Common Pleas of **Fairfield County**, Case No. 2025 CR 301	Affirmed	A criminal defendant's argument that his rights under the Sixth Amendment's Confrontation Clause were violated at his trial on sex-offense charges is a nonstarter where the alleged victims testified at the trial. And though video recordings of forensic interviews of those alleged victims were played for jurors during the trial, the trial judge properly admitted the statements on the recordings under Evidence Rule 803(4)'s hearsay exception for statements made for purposes of medical diagnosis or treatment. Hawley appealed his convictions on multiple sex-offense charges, arguing that the trial court improperly allowed the jury to view recorded forensic interviews of the two children and one young adult who were alleged victims. The appellate court rejected his arguments, finding that all three individuals testified at trial and were available for cross-examination, so admitting the recordings did not violate his Sixth Amendment right to confront witnesses. The court also determined that the statements in the interviews were admissible under the hearsay exception for statements made for purposes of medical diagnosis or treatment because the interviews were conducted to identify potential medical and mental-health needs. Hawley failed to identify specific statements that should have been excluded, and the appellate court's review found that the challenged statements were related to determining appropriate treatment. Accordingly, the appellate court affirmed the trial court's judgment and ordered Hawley to pay the costs of the appeal.	Gormley	11/6/2026
In re D.L.	2026CA00149	Appeal from the **Stark County** Court of Common Pleas, Juvenile Division, Case No. 2024JCV00780	Affirmed	Permanent Custody The mother appealed the trial court's decision terminating her parental rights and granting permanent custody of her daughter, D.L., to Stark County Job and Family Services (SCJFS), arguing that permanent custody was not in the child's best interests and that the agency failed to make reasonable efforts toward reunification. D.L. was removed from the parents' care after suffering a skull fracture and broken femur, and remained in the agency's temporary custody for more than 12 months of a consecutive 22-month period. Although the mother completed some case plan services, she continued to test positive for marijuana and cocaine, was terminated from parenting classes after attending under the influence of marijuana, and continued to express an intention to use marijuana if the child were returned to her care. The court also noted concerns about her anger, mental health, and continued support of the father despite his criminal history and failure to complete his case plan. The appellate court found that permanent custody was supported by the evidence and that SCJFS had made reasonable efforts through assessments, services, classes, and transportation. Because the mother had not objected to the agency's reasonable-efforts findings at the trial court level, her argument was also subject to plain-error review, which she failed to establish. The appellate court overruled both assignments of error and affirmed the decision granting permanent custody of D.L. to SCJFS.	King	11/6/2026
Conway v. Muskingum Cty. Bd. of Commrs.	CT2026-0051	Appeal from the **Muskingum County** Court of Common Pleas, Case No. CH2025-0327	Affirmed	Motion for Judgment on the Pleadings - Sovereign Immunity - R.C. Chapter 2744 Conways' appealed the trial court's dismissal of their lawsuit against the Muskingum County Board of Commissioners after a pre-adoptive foster placement of a six-year-old child ended when the child exhibited escalating behavioral and psychiatric issues, including animal cruelty and homicidal ideations. The Conways alleged fraudulent inducement and violations of Ohio Administrative Code provisions, claiming the agency had failed to properly inform or assist them regarding the child's needs and Medicaid coverage. The trial court granted judgment on the pleadings, finding the Board was protected by political subdivision immunity under R.C. Chapter 2744 and that the Conways' claims otherwise failed to establish valid causes of action. On appeal, the court agreed that operating a county children's services agency is a governmental function protected by statutory immunity and found that the Conways failed to identify any applicable exception to that immunity. The court also rejected their reliance on Burr v. Board of County Commissioners of Stark County, explaining that the decision predated R.C. Chapter 2744 and did not overcome the Board's immunity. Because immunity barred the claims, the court found the Conways' remaining arguments moot and affirmed the trial court's dismissal of the complaint with prejudice.	Hoffman	11/9/2026