Appellate Court Decisions - Week of 7/29/19

Note: This is not a comprehensive list of every case released this week.

First Appellate District of Ohio

Nothing to report.

Second Appellate District of Ohio

Nothing to report.

Third Appellate District of Ohio

Nothing to report.

Fourth Appellate District of Ohio

Nothing to report.

Fifth Appellate District of Ohio

***State v. Hare*, 2019-Ohio-3047**

Appointed counsel fees

Full Decision:
https://www.supremecourt.ohio.gov/rod/docs/pdf/5/2019/2019-Ohio-3047.pdf

Trial court erred in imposing appointed counsel fees by failing to notify appellant of that requirement at sentencing; andby failing to "make an explicit finding the [appellant] has or reasonably may be expected to have the means to pay, and specify[ing] the amount of appointed-counsel fees. . . ."

Sixth Appellate District of Ohio

***State v. Simon*, 2019-Ohio-3020**

Appointed counsel fees

Full Decision:
https://www.supremecourt.ohio.gov/rod/docs/pdf/6/2019/2019-Ohio-3020.pdf

Trial court erred as a matter of law by imposing appointed counsel fees without making a finding of whether the appellant could or would be able to pay the sanction.

Seventh Appellate District of Ohio

Nothing to report.

Eighth Appellate District of Ohio

***State v. Lozado*, 2019-Ohio-3040**

Plea

Full Decision:
https://www.supremecourt.ohio.gov/rod/docs/pdf/8/2019/2019-Ohio-3040.pdf

Appellant's guilty plea vacated because trial court failed to strictly comply with Crim.R. 11(C)(2)(c); court advised appellant of his constitutional rights related to his right to go to trial, but "did not ensure that the [appellant] understood by pleading guilty he would thereby waive those rights."

***In re D.W.*, 2019-Ohio-3104**

Hearsay

Full Decision:
https://www.supremecourt.ohio.gov/rod/docs/pdf/8/2019/2019-Ohio-3104.pdf

In adjudication of juvenile, witness's statements to detective clearly implicated appellant in the crime charged, and thus do not meet the criteria as nonhearsay offered to explain the detective's next investigative step, most notably because witness's statements directly connect appellant to the crime charged; however, error was harmless where appellant admitted to his involvement in crime and identified himself in the video of the crime.

Ninth Appellate District of Ohio

Nothing to report.

Tenth Appellate District of Ohio

Nothing to report.

Eleventh Appellate District of Ohio

Nothing to report.

Twelfth Appellate District of Ohio

Nothing to report.

Supreme Court of Ohio

Nothing to report.

Sixth Circuit Court of Appeals

Nothing to report.

Supreme Court of the United States

Nothing to report.