Appellate Court Decisions –week of 4/27/26

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

First Appellate District of Ohio

***State v. Maley*, C-250353**

Level of offense

Full Decision: (No web cite as of yet).

Although conviction for public indecency is affirmed, trial court erred when it convicted appellant of a misdemeanor of the third degree "where the evidence failed to establish any circumstances described in R.C. 2907.09(C)(2) to raise the offense above a fourth-degree misdemeanor." There was no evidence presented nor did the trial court find that appellant had any prior convictions for public indecency that would have raised the level of the offense from a fourth-degree misdemeanor to a third-degree misdemeanor. Case remanded for court to issue a nunc pro tunc entry correcting this clerical error.

***State v. Brown*, 2026-Ohio-1541**

Statutory speedy trial

Full Decision:
https://www.supremecourt.ohio.gov/rod/docs/pdf/1/2026/2026-Ohio-1541.pdf

In State's appeal, trial court did not err when it granted appellee's motion to dismiss for violation of his statutory speedy trial rights. Parties agreed that 61 days of speedy trial time had elapsed. Thereafter, COA found that 14 days of speedy trial time where appellee requested a continuance were "necessitated by the State's failure to provide the 9-1-1 call in discovery, and pursuant to this court's decision in *Cheatham*, 2021-Ohio-2495 (1st Dist.), the time was chargeable to the State." An additional 26 days were found to be "chargeable to the State because the motion was necessitated by the State's repeated failures to provide the 9-1-1 call" Judgment affirmed.

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

Nothing to report.

Sixth Appellate District of Ohio

Nothing to report.

Seventh Appellate District of Ohio

Nothing to report.

Eighth Appellate District of Ohio

Nothing to report.

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

***State v. Morris*, 2026-Ohio-1519**

Right to counsel

Full Decision:
https://www.supremecourt.ohio.gov/rod/docs/pdf/0/2026/2026-Ohio-1519.pdf

Criminal law—Constitutional law—Right to counsel—Right to counsel guaranteed under Article I, Section 10 of Ohio Constitution did not extend to defendant's preindictment investigatory interview—Defendant's right to counsel under Sixth Amendment to United States Constitution attached when he made his initial appearance and court informed him of the charges against him, appointed him counsel, and set bail—Defendant did not unambiguously and unequivocally invoke Sixth Amendment right to counsel during interview.

***In re P.M.S.*, 2026-Ohio-1543**

Adjudication/Sufficiency; rape

Full Decision:
https://www.supremecourt.ohio.gov/rod/docs/pdf/0/2026/2026-Ohio-1543.pdf

Criminal law—Juvenile delinquency—Sufficiency of the evidence—Rape—R.C. 2907.02(A)(2)—A rational trier of fact could have found beyond a reasonable doubt that juvenile offender used force, as defined by R.C. 2901.01(A)(1), to compel victim to submit to sexual conduct.

Sixth Circuit Court of Appeals

Nothing to report.

Supreme Court of the United States

Nothing to report.