Appellate Court Decisions –week of 8/24/26

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

First Appellate District of Ohio

***State v. Eagle*, C-250718, 719, 720**

Consecutive sentences

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

Appellant's convictions for multiple counts of theft affirmed. However, trial court erred when it failed to make the required findings to support consecutive prison terms pursuant to R.C. 2929.14(C)(4). Case remanded.

***State v. Fields*, C-260201**

Consecutive sentences

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

Finding that appellant violated his CC affirmed. However, trial court erred when it failed to make the required findings to support consecutive prison terms pursuant to R.C. 2929.14(C)(4). State concedes error. Case remanded.

***In re: Smith*, C-260219**

Certification of qualification of employment

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

Trial court erred when it denied appellant's petition for a CQE. Courts err "when more than three years have elapsed between a petitioner's release from prison in a felony case and the filing of the petitioner's CQE petition and it fails to apply the statutory presumption in favor of a CQE. *See Hopkins v. Certificate of Qualification for Emp.*, 2025-Ohio-1072, ¶ 14 (10th Dist.) . . . Here, the trial court denied [appellant's] petition on the basis that her felony convictions for voluntary manslaughter and aggravated robbery are unique and serious. It did not consider the application of the R.C. 2953.25(C)(5) rebuttable presumption, nor did it determine whether that presumption was overcome by evidence of the lack of rehabilitation. Rather, it denied [her] petition for a CQE based on the seriousness of her felony convictions." State concedes error. Case remanded for "trial court

to apply the rebuttable presumption in R.C. 2953.25(C)(5) and to determine whether that presumption is rebutted under R.C. 2953.25(C)(6).”

Second District of Ohio

Nothing to report.

Third Appellate District of Ohio

***State v. Weaver*, 2026-Ohio-3284**

CC violation/consecutive sentences

Full Decision:
https://www.supremecourt.ohio.gov/rod/docs/pdf/3/2026/2026-Ohio-3284.pdf

Finding that appellant violated his CC affirmed. However, trial court erred when it failed to make the required findings to support consecutive prison terms pursuant to R.C. 2929.14(C)(4). Case remanded.

Fourth Appellate District of Ohio

Nothing to report.

Fifth Appellate District of Ohio

Nothing to report.

Sixth Appellate District of Ohio

***State v. Gaston*, 2026-Ohio-3271**

Sentencing/mandatory term

Full Decision:
https://www.supremecourt.ohio.gov/rod/docs/pdf/6/2026/2026-Ohio-3271.pdf

Appellant’s convictions for multiple drug offenses affirmed. Prison term of four to six years affirmed. However, trial court erred when it deemed that prison term was mandatory when the offenses only carried a presumption of prison. State concedes error. Sentence vacated, and case remanded for a new sentencing hearing.

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

***State v. Welker*, 2026-Ohio-3293**

Record sealing/convictions v. dismissals

Full Decision:
https://www.supremecourt.ohio.gov/rod/docs/pdf/11/2026/2026-Ohio-3293.pdf

Trial court's denial of appellant's motions to seal the records of his convictions is affirmed, where the court properly "determined that [appellant] had not been rehabilitated to the satisfaction of the court." However, court erred when it denies appellant's motion to seal the records of a dismissed case where the pertinent statute, R.C. 2953.33 "does not include the consideration of rehabilitation." COA finds that "the record before this court does not reflect that the trial court considered the statutory requirements under R.C. 2953.33. 'An appellate court cannot determine whether an abuse of discretion occurred if there is no demonstration of that discretion.' *State v. Bell*, 2020-Ohio-3750, ¶ 21 (6th Dist.) citing *State v. Haas*, 2005-Ohio-4350, ¶ 21 (6th Dist.) . . . 'The trial court is required to place findings made pursuant to R.C. 2953.32 on the record for review.' *Bell, citing Hass* at ¶ 26.

The record fails to show that the trial court engaged in the balancing test as required by R.C. 2953.33(B)(2)(e). As such, [COA] cannot review the trial court's exercise of discretion. *See M.J.*, 2026-Ohio-2464, at ¶ 24 (11th Dist.). As such, [COA is] required to reverse the trial court's decision in Case No.

2006 CRB 00410 and remand the matter to the trial to consider [appellant's] motion and make the required determinations pursuant of R.C. 2953.33."

Twelfth Appellate District of Ohio

Nothing to report.

Supreme Court of Ohio

***State v. Fontanez*, 2026-Ohio-3281**

Crim.R. 11(C)(2)/guilty plea

Full Decision:
https://www.supremecourt.ohio.gov/rod/docs/pdf/0/2026/2026-Ohio-3281.pdf

***Criminal law—Crim.R. 11(C)(2)—Absent a defendant's assertion of actual innocence, a court may presume that the defendant understands the common definition of a guilty plea—Trial court's failure to explicitly inform defendant that his guilty plea was a complete admission of guilt did not constitute a "complete failure" to comply with Crim.R. 11*—State v. Griggs *remains good law and fits within the framework clarified in* State v. Dangler.**

Sixth Circuit Court of Appeals

Nothing to report.

Supreme Court of the United States

Nothing to report.