

THE COURT OF APPEALS OF OHIO
SECOND APPELLATE DISTRICT
CASE SUMMARIES
February 17, 2023

These case summaries are issued for the convenience of the public, the bench, and the bar. They are a brief statement of the court's holdings and are not to be considered headnotes or syllabi. Copies of opinions are available from the particular county's clerk of courts. The full text of each opinion will be available on the Ohio Supreme Court's website at <http://www.supremecourt.ohio.gov/rod/docs/?source=2>.

Case Name: *Vinebrook Homes LLC v. Taylor Matlock, et al.*
Case No: Montgomery C.A. No. 29600; T.C. Case No. 22 CVR 3185
Panel: Welbaum, Epley, Lewis
Author: Christopher B. Epley
Summary: The trial court erred in rendering judgment in favor of appellees as the court lacked personal jurisdiction over appellant. Judgment vacated.

Case Name: *State of Ohio v. Dakodah L. Smith*
Case No: Clark C.A. No. 2022-CA-52; T.C. Case No. 22-CR-0305(A)
Panel: Welbaum, Epley, Lewis
Author: Christopher B. Epley
Summary: The trial court did not err by imposing a 7 to 10½ year sentence on appellant, as the disposition was not contrary to law. Judgment affirmed.

Case Name: *In The Matter of The Adoption of: J.R.I.*
Case No: Greene C.A. No. 2022-CA-22; T.C. Case No. 11303AD
Panel: Tucker, Welbaum, Lewis
Author: Ronald C. Lewis
Summary: The trial court ruled that a domestic violence civil protection order prohibiting appellant-father from having contact with his child did not provide justifiable cause for appellant's failure to have contact with the child in the one-year period before appellee-petitioner filed a petition seeking to adopt the child. Based upon this conclusion, the court found that appellant's consent to the adoption was not required. While acknowledging that the Ohio Supreme Court's decision in *In re Adoption of A.K.*, 168 Ohio St.3d 225, 2022-Ohio-350, 198 N.E.3d 47, applies to the case at hand, this Court does not adopt the lead opinion of the plurality decision. Rather, we continue to apply the two-step analysis applicable to the de minimis prong of R.C. 3107.07(A), which was supported by four of the Justices in *In re Adoption of A.K.* Under this analysis, the trial court's decision was supported by clear and convincing evidence. Judgment affirmed.

Case Name: *State of Ohio v. Robert Coffee*
Case No: Clark C.A. Nos. 2022-CA-54; 2022-CA-55; T.C. Case Nos. 22-CR-0018; 22-CR-0245(A)
Panel: Welbaum, Epley, Lewis
Author: Jeffrey M. Welbaum
Summary: Following an independent review of the record as required by *Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967), this court finds no issues with arguable merit to advance on appeal. The record establishes that appellant's guilty pleas were knowingly, intelligently, and voluntarily entered and that the sentences imposed by the trial court were jointly recommended by the parties and authorized by law, making them unreviewable. Judgments affirmed.

Case Name: *State of Ohio v. Mindy M. Scott*
Case No: Champaign C.A. No. 2022-CA-16; T.C. Case Nos. 22CRB261A; 22CRB261B; 22CRB261C; 22CRB261D
Panel: Welbaum, Tucker, Epley
Author: Jeffrey M. Welbaum
Summary: The trial court's decision to impose the maximum possible jail term for each of appellant's four vehicular manslaughter offenses was not an abuse of discretion. Judgments affirmed.