

**THE COURT OF APPEALS OF OHIO**  
**SECOND APPELLATE DISTRICT**  
**CASE SUMMARIES**  
**March 3, 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: *State of Ohio v. Edward B. Huelsman*  
Case No: Miami C.A. No. 2022-CA-21; T.C. Case No. 2022 TRD 03920  
Panel: Welbaum, Epley, Lewis  
Author: Jeffrey M. Welbaum  
Summary: The trial court had personal jurisdiction over appellant, who claimed status akin to that of a "sovereign citizen." Such arguments are frivolous. The court also had subject matter jurisdiction over the traffic citation issued to appellant, who was driving on a suspended license. Judgment affirmed.

Case Name: *State of Ohio v. Christopher Deangelo Brown*  
Case No: Montgomery C.A. No. 29553; T.C. Case No. 2022 CR 01036  
Panel: Tucker, Epley, Lewis  
Author: Michael L. Tucker  
Summary: Following a jury trial, appellant was convicted of robbery (physical harm). The conviction was supported by sufficient evidence and was not against the manifest weight of the evidence. Judgment affirmed.

Case Name: *Estate of Leonard Joseph Goubeaux, aka Leonard J. Goubeaux*  
Case No: Darke C.A. No. 2022-CA-7; T.C. Case No. 20-1-034  
Panel: Tucker, Epley, Lewis  
Author: Michael L. Tucker  
Summary: The trial court's interlocutory entry construing the terms of a decedent's will in the context of a will-probate proceeding was not a final order under R.C. 2505.02(B). Appeal dismissed.

Case Name: *State of Ohio v. Jeffrey A. Collins*  
Case No: Greene Appeal No. 2022-CA-40; T.C. Case No. 2020CR0589  
Panel: Tucker, Epley, Lewis  
Author: Christopher B. Epley  
Summary: The trial court did not err when it overruled appellant's motion to suppress evidence found on his cell phone. The challenged affidavit, despite being based primarily on hearsay evidence, was sufficient to

ensure the issuing judge had a substantial basis for concluding that probable cause existed. Further, the trial court did not err in accepting appellant's no contest plea as it partially complied with Crim.R. 11 and appellant did not demonstrate prejudice. Judgment affirmed.

Case Name: *State of Ohio v. Kimberly L. Bennington*  
Case No: Montgomery C.A. No. 29585; T.C. Case No. 22CRB00330  
Panel: Welbaum, Epley, Lewis  
Author: Christopher B. Epley  
Summary: Appellant's conviction for violation of a protection order was not against the manifest weight of the evidence. Appellant was not acting as a mandated reporter because she was not reporting in her official or professional capacity, and she was not entitled to immunity. Judgment affirmed.

Case Name: *State of Ohio v. Deon Harris*  
Case No: Montgomery C.A. No. 29379; T.C. Case No. 2020 CR 00825/4  
Panel: Welbaum, Epley, Lewis  
Author: Christopher B. Epley  
Summary: After merging multiple offenses and specifications, appellant was convicted of two counts of murder with firearm specifications, aggravated burglary, and having weapons while under disability. Appellant's statutory and constitutional speedy trial rights were not violated. His convictions were based on sufficient evidence and not against the manifest weight of the evidence. The trial court did not err in admitting two short surveillance videos from the scene or in denying appellant's subsequent motion for a mistrial. The trial court's judgment entry did not accurately reflect the aggregate sentence orally imposed. Judgment affirmed, but the trial court is ordered to file a nunc pro tunc entry correcting the judgment entry.

Case Name: *Susan C. Monroe, et al. v. Troy Strawberry Festival, Inc., et al.*  
Case No: Miami C.A. No. 2022-CA-23; T.C. Case No. 21 CV 40  
Panel: Welbaum, Epley, Lewis  
Author: Ronald C. Lewis  
Summary: The trial court erred in overruling the city's motion for summary judgment based on sovereign immunity where appellees' injuries allegedly were due to the city's negligence in performing its governmental function of maintaining sidewalks and streets. Because appellees failed to allege a viable exception to the city's sovereign immunity, the city was entitled to summary judgment. Judgment reversed and remanded.