

THE COURT OF APPEALS OF OHIO
SECOND APPELLATE DISTRICT
CASE SUMMARIES
June 7, 2024

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. Carden Anderson*
Case No: Clark C.A. No. 2023-CA-49; T.C. Case No. 22-CR-0913
Panel: Welbaum, Tucker, Huffman
Author: Michael L. Tucker
Summary: The trial court did not violate Crim.R. 11 by failing to advise appellant of the potential for consecutive sentences or about his eligibility for community-control sanctions. The record does not affirmatively demonstrate the trial court's failure to consider the youth sentencing factors found in R.C. 2929.19(B)(1)(b). The trial court did err, however, in its award of jail-time credit. Judgment affirmed in part, reversed in part, and remanded for recalculation of jail-time credit.

Case Name: *State of Ohio v. Breanne Rae Turner*
Case No: Greene C.A. No. 2023-CA-51; T.C. Case No. 2023 TRD 01446
Panel: Welbaum, Tucker, Huffman
Author: Mary K. Huffman
Summary: Appellant's conviction for leaving the scene of an accident was supported by sufficient evidence and was not against the manifest weight of the evidence. Judgment affirmed.

Case Name: *State of Ohio v. Elijah A. Cuffie*
Case No: Clark C.A. No. 2023-CA-61; T.C. Case No. 22-CR-626
Panel: Welbaum, Tucker, Huffman
Author: Mary K. Huffman
Summary: Appellant's sentence was not contrary to law, and the court's findings in imposing consecutive sentences were not clearly and convincingly unsupported by the record. Judgment affirmed.

Case Name: *State of Ohio v. Johnathon Quinn*
Case No: Montgomery C.A. No. 29981; T.C. Case No. 2023 CR 2431
Panel: Welbaum, Tucker, Huffman
Author: Jeffrey M. Welbaum
Summary: State's appeal. Appellee's vehicle and its license plates were seized when he was arrested for operating a vehicle under the influence of alcohol or drugs (OVI); the trial court subsequently released the vehicle and ordered the Ohio State Highway Patrol ("OSHP") to pay the costs associated with its towing and storage. The State's argument that the trial court erred in releasing appellee's vehicle is moot; the OVI charge was dismissed and, as such, the trial court would have been required to order the release of the vehicle if it had not already done so. However, because the OSHP properly seized and retained appellee's vehicle and license plates pursuant to R.C. 4511.195, the trial court erred in ordering the OSHP to pay all costs associated with the towing, storage, and return of appellee's vehicle. Judgment reversed.

Case Name: *State of Ohio v. Nathaniel Compston*
Case No: Clark C.A. No. 2023-CA-47;
T.C. Case Nos. 22-CR-0788; 22-CR-0832; 22-CR-0890
Panel: Welbaum, Tucker, Huffman
Author: Jeffrey M. Welbaum
Summary: The jury verdicts in three consolidated cases, which found appellant guilty of felony violations of a protection order, were not based on insufficient evidence and were not against the manifest weight of the evidence. Judgments affirmed.

Case Name: *State of Ohio v. S.R.S.*
Case No: Champaign C.A. No. 2023-CA-43; T.C. Case No. 2003 CR 039
Panel: Welbaum, Tucker, Huffman
Author: Jeffrey M. Welbaum
Summary: The trial court erred in granting appellee's application to seal his conviction. Appellee pled guilty to failure to comply with the order of a police officer, a third-degree felony. Although convictions for certain felony offenses may be sealed, R.C. 2953.32(A)(2) precludes sealing convictions for felony offenses of violence. Under R.C. 2901.01(A)(9)(c), appellee's conviction is classified as an offense of violence. Judgment reversed.