

**THE COURT OF APPEALS OF OHIO**  
**SECOND APPELLATE DISTRICT**  
**CASE SUMMARIES**  
**March 1, 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. Joshua Beall*  
Case No: Montgomery C.A. No. 29866; T.C. Case No. 2018 CR 02084/1  
Panel: Epley, Lewis, Huffman  
Author: Mary K. Huffman  
Summary: In considering appellant's pro se petition for post-conviction relief, the trial court properly determined that its subject-matter jurisdiction was not at issue. The petition was successive and untimely, and appellant did not establish that his untimely filing was justified under either of the exceptions set forth in R.C. 2953.23(A). As such, appellant was not entitled to a hearing on his petition. Judgment affirmed.

Case Name: *State of Ohio v. Anthony Dion Lewis*  
Case No: Champaign C.A. No. 2023-CA-24; T.C. Case No. 2023 CR 011  
Panel: Epley, Lewis, Huffman  
Author: Mary K. Huffman  
Summary: The judgment of the trial court was not against the manifest weight of the evidence. Judgment affirmed.

Case Name: *In re R.S.H.-F.*  
Case No: Montgomery C.A. No. 29949;  
T.C. Case No. G-2015-007346-1S,1U,1W,1Z  
Panel: Epley, Tucker, Lewis  
Author: Christopher B. Epley  
Summary: The trial court did not abuse its discretion by finding Mother was not in contempt for missed parenting time, missed FaceTime calls, or a lack of communication. The trial court also did not err when it found no change in circumstances that justified a reallocation of parental rights and responsibilities. Because the trial court found no change in circumstances, it did not err by failing to do a best interest of the child analysis, which is only necessary after finding a change in circumstances. Finally, the trial court did not abuse its discretion when it calculated child support. Judgment affirmed.

Case Name: *FIG 20, LLC FBO SEC PTY v. Qiming He, et al.*  
Case No: Montgomery C.A. No. 29910; T.C. Case No. 2023 CV 02199  
Panel: Epley, Tucker, Lewis  
Author: Christopher B. Epley  
Summary: The trial court properly granted summary judgment to tax certificate holder on its foreclosure action. Judgment affirmed.

Case Name: *Tanzania Williams, Guardian of the Estate of Josephine Williams v. Tiffany Williams*  
Case No: Montgomery C.A. No. 29892;  
T.C. Case Nos. 2022 MSC 00367; 2021 GRD 00130  
Panel: Epley, Lewis, Huffman  
Author: Ronald C. Lewis  
Summary: The probate court erred in entering a default judgment against appellant in a concealment action. R.C. 2109.50 et seq. set forth a special proceeding which requires the probate court to investigate and make a finding of guilt or innocence based on the evidence presented when someone is accused of concealment or embezzlement of assets of a guardianship. Because the proceedings are quasi-criminal in nature, the court is required to compel the accused's appearance to be examined, which can be accomplished by committing the person to jail, if necessary. The trial court failed to comply with these statutory provisions when appellant failed to appear at a hearing. The court also erred in entering a default judgment, which is not contemplated by the statutes in question. Judgment reversed and remanded.

Case Name: *State of Ohio v. Todd A. Deer*  
Case No: Greene C.A. No. 2023-CA-35; T.C. Case No. 2022 CR 0537  
Panel: Epley, Lewis, Huffman  
Author: Ronald C. Lewis  
Summary: The trial court did not err in imposing maximum and consecutive sentences. Judgment affirmed.

Case Name: *State of Ohio v. Dorian L. Crawl*  
Case No: Montgomery C.A. No. 29859; T.C. Case No. CRB2200844  
Panel: Epley, Welbaum, Huffman  
Author: Jeffrey M. Welbaum  
Summary: Appellant's conviction for menacing by stalking was supported by sufficient evidence and was not against the manifest weight of the evidence. Judgment affirmed.

Case Name: *State of Ohio v. Kristi Lynn O'Mara*  
Case No: Champaign C.A. No. 2023-CA-12; T.C. Case No. 2022 CR 212  
Panel: Epley, Welbaum, Huffman  
Author: Jeffrey M. Welbaum  
Summary: Appellant served her prison term, was released from prison, and is not on post-release control or other supervision. Because appellant has challenged only the trial court's decision to impose a prison term rather than community control sanctions, there is no relief that can be provided. Appeal dismissed as moot.

Case Name: *State of Ohio v. Demetris Clark*  
Case No: Clark C.A. No. 2023-CA-22; T.C. Case No. 23-CR-0020  
Panel: Welbaum, Tucker, Lewis  
Author: Michael L. Tucker  
Summary: Conceded error. The trial court erred by not informing appellant at the sentencing hearing of the jail time credit, if any, to which he was entitled and by not including the jail time credit calculation in the judgment entry. Judgment reversed and remanded.