

THE COURT OF APPEALS OF OHIO
SECOND APPELLATE DISTRICT
CASE SUMMARIES
March 8, 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. Rachel E. Hudson*
Case No: Champaign C.A. No. 2023-CA-25;
T.C. Case Nos. 2022 CR 254; 2023 CR 103
Panel: Epley, Lewis, Huffman
Author: Christopher B. Epley
Summary: The trial court did not err in its imposition of consecutive sentences. The consecutive sentencing findings were not clearly and convincingly unsupported by the record. Judgments affirmed.

Case Name: *State of Ohio v. Curtis Anthony Moody*
Case No: Montgomery C.A. No. 29885; T.C. Case No. 2014 CR 03237
Panel: Epley, Tucker, Lewis
Author: Christopher B. Epley
Summary: Appellant's successive petition for postconviction relief was untimely and barred by res judicata. Judgment affirmed.

Case Name: *State of Ohio v. Kevin L. Snyder*
Case No: Montgomery C.A. No. 29933; T.C. Case No. 2019 CR 0292
Panel: Epley, Lewis, Huffman
Author: Ronald C. Lewis
Summary: The trial court did not abuse its discretion by denying appellant's petition for post-conviction relief without a hearing where the petition failed to state a substantive ground for relief. Judgment affirmed.

Case Name: *Timothy Rehmert v. Barbara Rehmert*
Case No: Montgomery C.A. No. 29860; T.C. Case No. 20DR876
Panel: Welbaum, Tucker, Lewis
Author: Ronald C. Lewis
Summary: The trial court did not abuse its discretion in determining the de facto date of the termination of the parties' marriage, in dividing marital and nonmarital property, or in rejecting appellant's claims of financial misconduct. Ineffective assistance of counsel is not properly raised on appeal from a divorce proceeding. Judgment affirmed.

Case Name: *Jerzy Westerling v. Miranda Westerling (nka Zwicker)*
Case No: Clark C.A. No. 2023-CA-38; T.C. Case No. 21-DR-0365
Panel: Epley, Welbaum, Tucker
Author: Michael L. Tucker
Summary: The trial court's judgment granting custody of the parties' two minor children to the appellee did not constitute an abuse of discretion and was not against the weight of the evidence. Judgment affirmed.