

**THE COURT OF APPEALS OF OHIO**  
**SECOND APPELLATE DISTRICT**  
**CASE SUMMARIES**  
**July 3, 2024**

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Case Name: *State of Ohio v. Richard E. Woodfork Jr.*  
Case No: Montgomery C.A. No. 29967; T.C. Case No. 2022 CR 1669  
Panel: Welbaum, Lewis, Huffman  
Author: Jeffrey M. Welbaum  
Summary: The trial court did not abuse its discretion by overruling appellant's post-sentence motion to withdraw his guilty plea because appellant failed to establish a manifest injustice warranting the withdrawal of his plea. The trial court did not err by failing to rule on appellant's pro se motion to modify his community control sanctions where appellant was represented by counsel and counsel did not join in the pro se motion. The trial court did not abuse its discretion by finding appellant guilty of violating his community control sanctions after appellant refused to participate in an inpatient drug treatment program as required by the terms of his community control. The trial court properly revoked appellant's community control based on that violation and properly sentenced him to 30 months in prison, as the sentence is not clearly and convincingly contrary to law. Judgments affirmed.

Case Name: *State of Ohio v. Ronnie L. Tyler*  
Case No: Montgomery C.A. No. 30005; T.C. Case No. 2023 CR 02416  
Panel: Epley, Tucker, Huffman  
Author: Michael L. Tucker  
Summary: Conceded error. The trial court committed plain error in classifying appellant as a Tier II sex offender rather than a Tier I offender following his conviction for gross sexual imposition in violation of R.C. 2907.05(A)(1). Judgment reversed; remanded for classification as a Tier I offender.

Case Name: *State of Ohio v. Ryan Allen*  
Case No: Clark C.A. Nos. 2023-CA-52; 2023-CA-65;  
T.C. Case Nos. 22-CR-0508; 22-CR-0680; 22-CR-0547(A)  
Panel: Welbaum, Lewis, Huffman  
Author: Mary K. Huffman  
Summary: Appellant was sentenced to community control sanctions (CCS) for violating a protection order; he appealed, challenging the imposition of certain special conditions of his community control. While that appeal was pending, appellant's probation officer filed notices of violations of CCS, and the trial court revoked appellant's CCS and imposed prison sentences based on violations of the special conditions. We subsequently held in the prior appeal that the special conditions of CCS that the trial court originally imposed were "unreasonably overbroad"; we reversed and remanded for the trial court to impose more narrow special conditions. Appellant now appeals from the revocation of his CCS based on his violation of the original special conditions. Because the CCS violations at issue in this appeal were based on the original conditions and not the modified, narrow conditions, the trial court must reconsider its findings of CCS violations. Judgments reversed and remanded.

Case Name: *State of Ohio v. Edwin Rodriguez Quinones*  
Case No: Montgomery C.A. No. 29894; T.C. Case No. 21TRC1334  
Panel: Epley, Tucker, Huffman  
Author: Mary K. Huffman  
Summary: Appellant did not challenge the reasonable articulable suspicion for the traffic stop or the administration of field sobriety tests in his motion to suppress, so these issues are waived. Even if not waived, reasonable articulable suspicion existed for the traffic stop based on appellant's failure to stop, and reasonable suspicion for operating a vehicle under the influence (OVI) existed based upon appellant's demeanor during the traffic stop. The field sobriety tests were conducted in substantial compliance with administrative standards by an experienced officer trained in those standards. Probable cause for arrest for OVI was demonstrated. Appellant failed to demonstrate that he was prejudiced by less than strict compliance in refrigeration of the blood kit. Appellant's conviction following a no contest plea is not amenable to review on appeal as being against the manifest weight of the evidence. Judgment affirmed.

Case Name: *State of Ohio v. Dean Baker*  
Case No: Clark C.A. No. 2023-CA-28; T.C. Case No. 23-CR-0071  
Panel: Epley, Tucker, Huffman  
Author: Christopher B. Epley  
Summary: Appellant's conviction for murder was based on sufficient evidence and was not against the manifest weight of the evidence. The jury

reasonably concluded that appellant did not act in self-defense. Appellant's argument regarding the increase in his pretrial bond is moot. Judgment affirmed.

Case Name: *State of Ohio v. Justin T. Weller*  
Case No: Champaign C.A. No. 2023-CA-41; T.C. Case No. 2023 CRB 688  
Panel: Epley, Welbaum, Lewis  
Author: Christopher B. Epley  
Summary: Appellant's conviction for theft was against the manifest weight of the evidence. Appellant, the complainant's landlord, reasonably believed that the complainant had abandoned her belongings and vacated the apartment when he hired a contractor to empty the apartment and kept a few of the belongings. Judgment reversed.

Case Name: *In the Matter of the Adoption of L.K.P.*  
Case No: Greene C.A. No. 2024-CA-4; T.C. Case No. 11437AD  
Panel: Epley, Welbaum, Lewis  
Author: Christopher B. Epley  
Summary: The trial court did not err when it held that appellee-father's consent to child's adoption was required. Appellee had more than de minimis contact with the child in the year prior to the filing of the adoption petition, and although he did not provide maintenance and support as set forth in a divorce decree, his extensive medical issues provided justifiable cause for the non-payment. Judgment affirmed.