

THE COURT OF APPEALS OF OHIO
SECOND APPELLATE DISTRICT
CASE SUMMARIES
August 4, 2023

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Case Name: *State of Ohio v. Raymond Walters*
Case No: Montgomery C.A. No. 29603; T.C. Case No. 2021 CR 02538
Panel: Welbaum, Lewis, Huffman
Author: Mary K. Huffman
Summary: Appellant, who was charged with murder and felonious assault, filed a motion in limine seeking to introduce evidence of the victim's alleged prior bad acts to support a claim of self-defense. After viewing surveillance videos of the shooting, the court denied the motion, finding that the videos clearly showed that appellant had not acted in self-defense. Appellant then pled no contest to multiple counts. The trial court did not abuse its discretion in denying the motion in limine. Trial counsel did not act ineffectively in: (1) failing to timely file a notice of appellant's intent to argue self-defense; (2) waiving appellant's appearance at the pretrial conference where the court determined that the self-defense was not viable; (3) failing to object to the court's viewing of the surveillance videos of the shooting; (4) failing to proffer evidence of the victim's alleged prior bad acts in support of his claim of self-defense; or (5) advising appellant that his no contest pleas preserved his right to challenge the trial court's liminal ruling. The court did not err in accepting appellant's no contest pleas, as they were knowingly, intelligently, and voluntarily entered. The trial court did not err in imposing consecutive sentences for the 54-month firearm specifications attendant to appellant's convictions for murder and having weapons while under disability. Judgment affirmed.

Case Name: *State of Ohio v. Anthony J. Sankis*
Case No: Montgomery C.A. No. 29643; T.C. Case No. 2020 CR 01533
Panel: Welbaum, Lewis, Huffman
Author: Mary K. Huffman
Summary: Based on our independent review of the entire record, including the brief filed by appellant's counsel pursuant to *Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967), there are no arguably meritorious appellate issues. Judgment affirmed.

Case Name: *State of Ohio v. Taylor Wesley Walter*
Case No: Montgomery C.A. No. 29614; T.C. Case No. 20CR3668
Panel: Welbaum, Epley, Lewis
Author: Ronald C. Lewis
Summary: Appellant was convicted of the murder of his mother. The trial court did not err in denying his motion to suppress statements he made in a police cruiser on the day of the murder, and we find no basis to revisit our prior holdings governing spontaneous statements by a suspect in custody. The trial court properly admitted evidence of numerous statements by the victim under Evid.R. 803(3) and of appellant's prior behavior with the victim under Evid.R. 404(B). Appellant's conviction was not against the manifest weight of the evidence. The trial court properly gave a jury instruction on voluntary intoxication and appropriately determined that an instruction on consciousness of guilt was warranted. Although there was error in the wording of the consciousness of guilt instruction, that error was harmless. Judgment affirmed.

Case Name: *Tax Ease Ohio IV, LLC aka Tax Ease OH IV, LLC v. The Unknown Heirs, Devisees, Legatees, Executors, and/or Administrators of Harold W. Payne, Jr. aka Harold W. Payne aka Harold Payne, Deceased, et al.*
Case No: Montgomery C.A. No. 29733; T.C. Case No. 2022 CV 00956
Panel: Welbaum, Tucker, Epley
Author: Michael L. Tucker
Summary: The trial court did not err in confirming a tax-foreclosure sale of appellant's deceased father's home. Appellant has not identified any abuse of discretion in the trial court's ruling. Judgment affirmed.

Case Name: *State of Ohio v. Tyler Blackburn*
Case No: Champaign C.A. No. 2022-CA-30; T.C. Case No. 2019 CR 221
Panel: Welbaum, Tucker, Epley
Author: Michael L. Tucker
Summary: Appellant appeals from the revocation of community control sanctions (CCS). But, instead of asserting error regarding the CCS revocation, appellant asserts that trial counsel's ineffective assistance caused his guilty plea in the underlying case to be less than knowing, intelligent, and voluntary. This argument is barred by the doctrine of res judicata because it could have been raised on direct appeal of the conviction. Judgment affirmed.