

THE COURT OF APPEALS OF OHIO
SECOND APPELLATE DISTRICT
CASE SUMMARIES
August 11, 2023

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Case Name: *State of Ohio v. Jacob E. Entingh*
Case No: Greene C.A. No. 2022-CA-53; T.C. Case No. 2021-CR-0433
Panel: Welbaum, Lewis, Huffman
Author: Jeffrey M. Welbaum
Summary: Screen-recorded Snapchat videos were properly authenticated at trial where the person who made the screen recording testified that she had used her cell phone to personally view the Snapchat videos near the time they were posted by her friend, screen recorded the Snapchat videos the following day using her cell phone, and positively identified the screen-recorded Snapchat videos at trial. Appellant's convictions for aggravated vehicular homicide under R.C. 2903.06(A)(1)(a) and aggravated vehicular assault under R.C. 2903.08(A)(1)(a) were supported by sufficient evidence and were not against the weight of the evidence. Judgment affirmed.

Case Name: *State of Ohio v. Michael A. Wood*
Case No: Clark C.A. No. 2022-CA-57; T.C. Case No. 21CR0384
Panel: Welbaum, Tucker, Epley
Author: Jeffrey M. Welbaum
Summary: The judgment appealed from is not a final, appealable order, and therefore we lack jurisdiction to review it. Appeal dismissed.

Case Name: *State of Ohio v. Michael A. Wood*
Case No: Clark C.A. No. 2022-CA-67; T.C. Case No. 22-CR-0488
Panel: Welbaum, Tucker, Epley
Author: Jeffrey M. Welbaum
Summary: The trial court properly overruled appellant's motion to suppress evidence flowing from a traffic stop. The officer who conducted the traffic stop had reasonable suspicion that warranted investigating appellant for operating a vehicle under the influence of alcohol (OVI) and probable cause to arrest appellant for OVI. In addition, the trial court did not err by failing to suppress appellant's blood-alcohol test results where appellant failed to establish that he was prejudiced by the delay in refrigerating his blood sample. Appellant's constitutional

right to confrontation was not violated by the admission of a laboratory report containing his blood-alcohol test results where the State presented the laboratory report through the testimony of a forensic toxicologist who had independently reviewed all the testing data, checked the data for errors, and authored the laboratory report. Appellant's assignments of error challenging his guilty verdict for OVI under R.C. 4511.19(A)(2) as being unconstitutional and his guilty verdict for OVI under R.C. 4511.19(A)(1)(a) as being against the manifest weight of the evidence fail because those offenses merged into his OVI conviction under R.C. 4511.19(A)(1)(b). Judgment affirmed.

Case Name: *Dave Kemps v. Monday Community Correctional Institute, et al.*
Case No: Montgomery C.A. No. 29751; T.C. Case No. 2022 CV 03871
Panel: Welbaum, Lewis, Huffman
Author: Mary K. Huffman
Summary: Appellant, who slipped and was injured while incarcerated at a community based correctional facility, appeals the trial court's judgment granting appellees' motions to dismiss his negligence claim for failure to state a claim. The trial court did not err in concluding that appellees were immune under the Political Subdivision Tort Liability Act, and no exceptions to immunity applied. Judgment affirmed.