

THE COURT OF APPEALS OF OHIO
SECOND APPELLATE DISTRICT
CASE SUMMARIES
December 13, 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: *Speedy Maintenance Service LLC v. Windsor Tower LLC, et al.*
Case No: Montgomery C.A. No. 29996; T.C. Case No. 2021 CV 01747
Panel: Welbaum, Tucker, Lewis
Author: Ronald C. Lewis
Summary: The trial court's judgment awarding defendant-appellee \$48,260 on its counterclaims for breach of contract and slander of title was not against the manifest weight of the evidence. Judgment affirmed.

Case Name: *State of Ohio v. Jeffrey Sahnd*
Case No: Montgomery C.A. No. 30102; T.C. Case No. 2024 CR 00013
Panel: Epley, Welbaum, Huffman
Author: Jeffrey M. Welbaum
Summary: Appellant's conviction for domestic violence in violation of R.C. 2919.25(A) was supported by sufficient evidence and was not against the manifest weight of the evidence. Judgment affirmed.

Case Name: *State of Ohio v. Christopher Barron*
Case No: Greene C.A. No. 2023-CA-70; T.C. Case No. 2023 CR 0148
Panel: Welbaum, Lewis, Huffman
Author: Jeffrey M. Welbaum
Summary: The trial court did not abuse its discretion by denying appellant's request to exercise his right of self-representation; the request was untimely, and appellant exhibited confusion while the trial court was determining whether appellant was knowingly, intelligently, and voluntarily waiving his right to counsel. The trial court did not err by failing to merge appellant's felonious assault, domestic violence, and abduction offenses at sentencing, because the offenses resulted in separate, identifiable harm and were committed separately. Appellant's conviction for abduction was supported by sufficient evidence, and none of appellant's convictions were against the manifest weight of the evidence. Appellant's claim that his trial counsel provided ineffective assistance by failing to subpoena

certain witnesses for trial lacks merit because such a decision is a matter of trial strategy, which cannot form the basis of an ineffective assistance of counsel claim. Judgment affirmed.

Case Name: *State of Ohio v. Tyron Markus Jermaine Moore*
Case No: Clark C.A. No. 2024-CA-12; T.C. Case No. 23-CR-530
Panel: Epley, Welbaum, Huffman
Author: Jeffrey M. Welbaum
Summary: Appellant alleged that the trial court erred in failing to consider his youth as a mitigating factor as required by R.C. 2929.19(B)(1)(b). However, appellant's sentence is not reviewable on appeal under R.C. 2953.08(D)(1) because the parties jointly recommended the sentence. Judgment affirmed.

Case Name: *In re H.V.F.*
Case No: Montgomery C.A. No. 30183; T.C. Case No. C-2021-003617-0L
Panel: Epley, Welbaum, Tucker
Author: Jeffrey M. Welbaum
Summary: The trial court's decision to terminate appellant's parental rights was not against the manifest weight of the evidence. Judgment affirmed.

Case Name: *State of Ohio v. Aaron Hoff*
Case No: Montgomery C.A. No. 30060; T.C. Case No. 2023 CR 01879
Panel: Tucker, Lewis, Huffman
Author: Mary K. Huffman
Summary: Appellant's conviction of child endangerment was supported by sufficient evidence and was not against the manifest weight of the evidence. Appellant's actions and omissions in caring for the child-victim supported a finding of recklessness. The prosecutor's closing argument did not constitute plain error. Ineffective assistance is not shown in defense counsel's failure to request an instruction on accident. Judgment affirmed. (Tucker, J. concurring.)