

THE COURT OF APPEALS OF OHIO
SECOND APPELLATE DISTRICT
CASE SUMMARIES
July 26, 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. Marwan Snodgrass*
Case No: Clark C.A. No. 2023-CA-62;
T.C. Case Nos. 06-CR-1043; 06-CR-1342
Panel: Welbaum, Lewis, Huffman
Author: Ronald C. Lewis
Summary: The trial court did not err in denying appellant's motions to void his conviction and to issue a single judgment entry in compliance with Crim.R. 32(C). Judgments affirmed.

Case Name: *Gulf Equity Invests. LLC v. Charles Clifton, Barbara Clifton, et al.*
Case No: Clark C.A. No. 2023-CA-74; T.C. Case No. 23CVG03012
Panel: Epley, Welbaum, Tucker
Author: Michael L. Tucker
Summary: Appeal from judgment granting restitution of the premises is moot because appellants have vacated the premises, and appellants have not identified any collateral legal consequences that would preclude application of the doctrine. Appeal dismissed.

Case Name: *T.W. v. D.H.*
Case No: Montgomery C.A. No. 30011; T.C. Case No. 2023 CV 05682
Panel: Welbaum, Tucker, Huffman
Author: Michael L. Tucker
Summary: The trial court did not err in issuing a civil stalking protection order against respondent-appellant. Judgment affirmed.

Case Name: *State of Ohio v. Charles Keith Wampler*
Case No: Montgomery C.A. No. 29889; T.C. Case No. 1982 CR 00764
Panel: Welbaum, Tucker, Lewis
Author: Michael L. Tucker
Summary: Following the Ohio Supreme Court's decision in *State v. Patrick*, 2020-Ohio-6803, the trial court conducted a resentencing hearing to consider appellant's youth as a mitigating sentencing factor; he had committed an aggravated murder and other offenses when he was

15 years old. After the hearing, the trial court resentenced appellant to the same sentence it had originally imposed. The transcript of the resentencing hearing contains numerous notations that appellant's statements were "indiscernible," indicating that the transcriber could not understand what appellant had said. Appellant asserts that the "indiscernible" notations render the transcript incomplete and prevent appellate review. However, the gist of appellant's statements to the court can be discerned, despite the indiscernible notations, and his statements did not relate to his youth at the time the offenses were committed. As such, the indiscernible portions of the transcript do not prevent full appellate review, and appellant cannot establish prejudice. Judgment affirmed.

Case Name: *State of Ohio v. Brad A. Stewart*
Case No: Greene C.A. No. 2023-CA-59; T.C. Case No. 2022 CR 0027
Panel: Welbaum, Lewis, Huffman
Author: Mary K. Huffman
Summary: State's appeal. The trial court erred in granting appellee's motion to return money seized pursuant to a drug offense. Appellee was ordered to pay financial sanctions following his conviction in a separate murder case, and the clerk of courts issued a writ of execution against appellee's assets to satisfy that judgment. The State was entitled to keep the seized money pursuant to the writ of execution, without seeking forfeiture of the money in the drug offense case. Judgment reversed.