

Appellate Court Decisions - Week of 1/13/20

Note: This is not a comprehensive list of every case released this week.

First Appellate District of Ohio

State v. Jackson, 2020-Ohio-80

Jail-time credit

Full Decision:

<https://www.supremecourt.ohio.gov/rod/docs/pdf/1/2020/2020-Ohio-80.pdf>

Following bindover of appellant from juvenile court, trial court committed plain error by failing to award appellant jail-time credit for time spent in juvenile detention facility awaiting transfer to adult court.

Second Appellate District of Ohio

State v. Nunez, 2020-Ohio-46

Reopening

Full Decision:

<https://www.supremecourt.ohio.gov/rod/docs/pdf/2/2020/2020-Ohio-46.pdf>

Trial court erred in denying motion to vacate court costs from 2004 conviction without considering merits of motion. Appellate court remands the case to the trial court to determine whether to waive appellant's court costs; R.C. 2947.23(C) provides jurisdiction to courts to waive costs even if those costs were ordered as part of a sentence that was finalized before the effective date of that statute. See *State v. Braden*, Slip Opinion 2019-Ohio-4204, permitting the retroactive application of the statute.

Third Appellate District of Ohio

Nothing to report.

Fourth Appellate District of Ohio

Nothing to report.

Fifth Appellate District of Ohio

Nothing to report.

Sixth Appellate District of Ohio

Nothing to report.

Seventh Appellate District of Ohio

Nothing to report.

Eighth Appellate District of Ohio

Nothing to report.

Ninth Appellate District of Ohio

Nothing to report.

Tenth Appellate District of Ohio

Nothing to report.

Eleventh Appellate District of Ohio

State v. Thompson, 2020-Ohio-67

Other-acts evidence

Full Decision:

<https://www.supremecourt.ohio.gov/rod/docs/pdf/11/2020/2020-Ohio-67.pdf>

Trial court erred in permitting police officer to testify that appellant was “a suspect in another drug-related case, and one specifically involving a child,” and such testimony damaged appellant’s right to receive a fair trial. Case reversed and remanded for a new trial.

State v. Allenbaugh, 2020-Ohio-68

Due process; right to be present

Full Decision:

<https://www.supremecourt.ohio.gov/rod/docs/pdf/11/2020/2020-Ohio-68.pdf>

[68.pdf](#)

Appellant's due process rights were violated by the trial court proceeding with a *Daubert* hearing when appellant was not present and had not waived his right to be present at the hearing. Crim.R. 43.

Twelfth Appellate District of Ohio

Nothing to report.

Supreme Court of Ohio

Nothing to report.

Sixth Circuit Court of Appeals

Nothing to report.

Supreme Court of the United States

Nothing to report.