

Appellate Court Decisions - Week of 11/19/18

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

First Appellate District of Ohio

Nothing to report.

Second Appellate District of Ohio

State v. Caldwell, 2018-Ohio-4639

Domestic Violence: Endangering Children: Sentencing: Allied Offenses

Full Decision:

<https://www.supremecourt.ohio.gov/rod/docs/pdf/2/2018/2018-Ohio-4639.pdf>

Summary from the Second District: “After a bench trial, defendant was convicted of two counts of domestic violence (against his wife and daughter, respectively) and one count of endangering children (the same daughter). Although partly circumstantial, the State presented sufficient evidence that defendant acted recklessly as to his daughter, and the finding of recklessness was not against the manifest weight of the evidence. The evidence supported a reasonable conclusion that defendant recklessly threw a metal stand at his wife, missing her but hitting his nearby daughter, causing a laceration that required more than 20 stitches. Defendant’s conviction for domestic violence (wife), which was not contested, is affirmed. Trial court erred in failing to merge the two offenses related to defendant’s daughter as allied offenses of similar import. Defendant’s sentences for domestic violence (daughter) and endangering children are reversed, and the case is remanded for resentencing on those offenses.”

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

Nothing to report.

Twelfth Appellate District of Ohio

Nothing to report.

Sixth Circuit Court of Appeals

Nothing to report.

Supreme Court of the United States

Nothing to report.