

Appellate Court Decisions - Week of 12/29/14

First Appellate District of Ohio

Nothing new.

Second Appellate District of Ohio

Nothing new.

Third Appellate District of Ohio

State v. Steward, 2014-Ohio-5632

Cultivation of Marihuana: Manifest Weight

Full Decision:

<http://www.supremecourt.ohio.gov/rod/docs/pdf/3/2014/2014-ohio-5632.pdf>

Appellant's conviction for cultivation of marihuana was against the weight of the evidence where, although the evidence presented at trial showed Appellant irregularly stayed at a home with a marihuana grow operation and that it would be nearly impossible for him to be oblivious to the operation, there was no evidence that he was actually involved in the cultivation. His conviction for possessing criminal tools was also against the weight of the evidence because it was limited in the indictment to items for which no evidence was presented he possessed.

Fourth Appellate District of Ohio

Nothing new.

Fifth Appellate District of Ohio

Nothing new.

Sixth Appellate District of Ohio

Nothing new.

Seventh Appellate District of Ohio

Nothing new.

Eighth Appellate District of Ohio

In re R.T., 2014-Ohio-5686

Delinquency: Burglary: Sufficiency

Full Decision:

<http://www.supremecourt.ohio.gov/rod/docs/pdf/8/2014/2014-ohio-5686.pdf>

Appellant's burglary conviction was based on insufficient evidence where the State presented no evidence Appellant was inside the victims' home or that he aided or abetted those who committed the burglary. The evidence only showed Appellant was one street over and that he was later found in a car containing items stolen from the home.

State v. Collier, 2014-Ohio-5683

This case nicely summarizes the comparison of out-of-state statutes to Ohio statutes and determining whether someone who relocates to Ohio needs to register as a sex offender.

Sex Offender Classification: Out-of-State

Full Decision:

<http://www.supremecourt.ohio.gov/rod/docs/pdf/8/2014/2014-ohio-5683.pdf>

Appellant was not required to register as a sex offender in Ohio, and therefore the trial courts did not err in granting his motion to dismiss his indictments for failing to register, where Illinois' aggravated criminal sexual abuse did not have a substantial equivalent under Ohio law. Appellant had been convicted in Illinois of engaging in a sexual relationship with a 16-year-old girl. Where a third trial court did not grant Appellant's motion to withdraw his guilty plea, that court's decision was error.

Ninth Appellate District of Ohio

Nothing new.

Tenth Appellate District of Ohio

Nothing new.

Eleventh Appellate District of Ohio

Nothing new.

Twelfth Appellate District of Ohio

Nothing new.

Supreme Court of Ohio

Nothing new.

Sixth Circuit Court of Appeals

Nothing new.

Supreme Court of the United States

Nothing new.