

Appellate Court Decisions - Week of 12/3/18

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

First Appellate District of Ohio

In re K.B., 2018-Ohio-4810

Juvenile: Sex Offender Classification

Full Decision:

<http://www.supremecourt.ohio.gov/rod/docs/pdf/1/2018/2018-Ohio-4810.pdf>

Summary from the First District: “The juvenile court’s decision to continue the juvenile’s classification as a Tier I sex offender under Ohio’s version of the federal Adam Walsh Act was not an abuse of discretion where the record shows that the magistrate and the juvenile court carefully considered the statutory factors and the evidence supported the decision.”

Second Appellate District of Ohio

Nothing to report.

Third Appellate District of Ohio

Nothing to report.

Fourth Appellate District of Ohio

Nothing to report.

Fifth Appellate District of Ohio

State v. Benner, 2018-Ohio-4788

Motion to Suppress

Full Decision:

<https://www.supremecourt.ohio.gov/rod/docs/pdf/5/2018/2018-Ohio-4788.pdf>

The trial court erred in denying Appellant’s motion to suppress based solely upon his absence at the motion to suppress hearing.

Sixth Appellate District of Ohio

In re L.S., 2018-Ohio-4758

Sentencing

Full Decision:

<https://www.supremecourt.ohio.gov/rod/docs/pdf/6/2018/2018-Ohio-4758.pdf>

Summary from the Sixth District: “R.C. 2907.02(A)(1)(c) is not unconstitutionally vague as applied. State presented sufficient evidence that juvenile knew or should have known that victim’s ability to resist or consent to sexual conduct was substantially impaired by voluntary intoxication. Counsel was not ineffective for stipulating to the admission of BCI reports and failing to object to purported hearsay statements. Juvenile court was required to comply with Juv.R. 29 and 35(B) when it imposed suspended DYS commitment.”

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.

Supreme Court of Ohio

Nothing to report.

Sixth Circuit Court of Appeals

Nothing to report.

Supreme Court of the United States

Nothing to report.