

Appellate Court Decisions - Week of 8/27/18

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

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. Smith, 2018-Ohio-3436

Search: Motion to Suppress: Exigent Circumstances

Full Decision:

<https://www.supremecourt.ohio.gov/rod/docs/pdf/5/2018/2018-Ohio-3436.pdf>

The trial court did not err in granting Appellant's motion to suppress. Firefighters responded to fire and found out an electrical fire in a hidden marijuana growing operation started the fire. They put the fire out and shut off the electricity before police arrived and before police searched the house. There was also no danger of any of the evidence being destroyed. Therefore, there were no exigent circumstances at the time of the search.

Sixth Appellate District of Ohio

Nothing to report.

Seventh Appellate District of Ohio

Nothing to report.

Eighth Appellate District of Ohio

State v. Parker, 2018-Ohio-3143

Speedy Trial: Jurisdiction: Res Judicata

Full Decision:

<http://www.supremecourt.ohio.gov/rod/docs/pdf/8/2018/2018-Ohio-3413.pdf>

Summary from the Eighth District: “Trial court erred in striking defendant’s motion for speedy trial during the pendency of his appeal of trial court’s denial of his motion to withdraw his guilty plea. Trial court had no jurisdiction to take action on the motion while appeal was pending and should have held motion in abeyance rather than striking it. Defendant’s challenges to his sentences were outside the scope of the present appeal and otherwise barred by res judicata.”

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.

