

## **Appellate Court Decisions - Week of 8/31/20**

*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**

#### **State v. Schuller, 2020-Ohio-4261**

**Sex offender classification**

**Full Decision:**

<https://www.supremecourt.ohio.gov/rod/docs/pdf/3/2020/2020-Ohio-4261.pdf>

**Trial court erred when it classified appellant as a Tier I sex offender; sex offense was committed in 2007, prior to the effective date of the Adam Walsh Act, and the AWA cannot be applied retroactively. Appellant should be classified under Megan's Law. *State v. Williams*, 129 Ohio St.3d 344, 2011-Ohio-388.**

### **Fourth Appellate District of Ohio**

*Nothing to report.*

### **Fifth Appellate District of Ohio**

*Nothing to report.*

### **Sixth Appellate District of Ohio**

#### **State v. Dangler, 2020-Ohio-4243**

**Appointed counsel fees**

**Full Decision:**

<https://www.supremecourt.ohio.gov/rod/docs/pdf/6/2020/2020-Ohio-4243.pdf>

**Trial court erred when it imposed appointed attorney fees without finding appellant had the ability to pay; imposition of fees vacated. R.C. 2941.51(D).**

**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**

**State v. Reed, 2020-Ohio-4255**

**Jail-time credit**

**Full Decision:**

**<https://www.supremecourt.ohio.gov/rod/docs/pdf/0/2020/2020-Ohio-4255.pdf>**

**OSC holds that defendant is not entitled to jail-time credit for time spent on postconviction house arrest and electronic monitoring. “Based on the plain and unambiguous language of R.C. 2967.191(A), we conclude that a defendant is not entitled to jail-time credit for those days. . . ,” as jail-time credit is only given for those days served in a public or private facility, not a residence. Donnelly, J., dissented in an opinion joined by Stewart, J.**

**Sixth Circuit Court of Appeals**

*Nothing to report.*

**Supreme Court of the United States**

*Nothing to report.*