

## Appellate Court Decisions - Week of 3/15/21

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

### First Appellate District of Ohio

**State v. Reynolds, C-190748 & 758**

Sentencing

Full Decision: (No web cite as of yet).

**Trial court erred in imposing consecutive sentences without making the required finding regarding proportionality on the record; case remanded for a new sentencing hearing.**

### 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

*Nothing to report.*

### Sixth Appellate District of Ohio

**State v. Moore, 2021-Ohio-765**

Allied offenses

Full Decision:

<https://www.supremecourt.ohio.gov/rod/docs/pdf/6/2021/2021-Ohio-765.pdf>

**Trial court erred in failing to merge all six counts of having a weapon while under a disability where appellant simultaneously possessed the firearms “in one location at one time.”**

## Seventh Appellate District of Ohio

*Nothing to report.*

## Eighth Appellate District of Ohio

**Cleveland v. Cornely, 2021-Ohio-689**

Stay away order

Full Decision:

<https://www.supremecourt.ohio.gov/rod/docs/pdf/8/2021/2021-Ohio-689.pdf>

**Trial court erred in denying appellant’s motion to terminate or modify the no-contact order to allow visitation with his children. That “imposed indefinite condition [of probation] is not reasonably related to future criminality nor does it serve the statutory ends of probation, which are justice, rehabilitation, and ensuring the offender’s good behavior.”**

## 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 ex rel. v. Wainwright, 2021-Ohio-803**

Firearm specification and consecutive sentences

Full Decision:

<https://www.supremecourt.ohio.gov/rod/docs/pdf/0/2021/2021-Ohio-803.pdf>

**Appellant's petition for a writ of habeas corpus is properly denied where he is not entitled to immediate release; the presumption in favor of concurrent sentences is not applicable to mandatory prison terms imposed under R.C. 2929.14(B)(1)(a) (having a firearm while committing a felony) which must be served consecutively to any other prison term previously or subsequently imposed.**

**Sixth Circuit Court of Appeals**

*Nothing to report.*

**Supreme Court of the United States**

*Nothing to report.*