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Ohio Fifth District Court of Appeals Case Summaries

Case Type	Case Caption	Case No(s)	Character of Proceeding	Judgment	Topics and Issues	Author	Date of Judgment Entry
Criminal	STATE VS. HUBAL, JR.	Case No. 2024 CAA 070041	Appeal from the Delaware County Court of Common Pleas, Case No. 2011 CRI 10 0536	Reversed	Res judicata; manifest injustice; motion to withdraw guilty plea; de novo review Hubal argued res judicata shouldn't apply because new facts emerged when his stepdaughter recanted. But the appellate court found he already knew about the recantation when he filed his first motion and should have raised these issues then. Since any failure was his own, applying res judicata was not unjust. The appellate court ruled the trial court erred by not applying res judicata, sustained the State's first assignment of error, dismissed the second as moot, and reversed the trial court's decision.	Hess, J.	6/25/2025
Criminal	STATE VS. JUSTIN DAVIS	Case No. 2024 CA 0070	Appeal from the Richland County Court of Common Pleas, Case No. 2023 CR 888R	Affirmed	Motion to suppress; trooper's testimony he observed license plate light was not funtion was sufficient to establish probabale cause to stop vehicle Davis appealed his convictions for improperly handling firearms in a vehicle and two counts of operating a vehicle under the influence, arguing the trial court erred in denying his motion to suppress evidence from a traffic stop. Trooper Hoffer stopped Davis after observing his vehicle's license plate light was not illuminated, believing it violated Ohio law. The trial court found the trooper's testimony credible and ruled there was probable cause for the stop. On appeal, the court affirmed the trial court's decision, holding that even if the light was working, Trooper Hoffer reasonably believed a violation occurred, which was enough to justify the stop. Davis's assignment of error was overruled and his convictions were upheld.	Hoffman, J.	6/27/2025
Criminal	STATE VS. ERIC SMITH	Case No. 2025 CAA 01 0010	Appeal from the Delaware County Court of Common Pleas, Case No. 15 CRI 04 0144C	Affirmed	Complicity to robbery sentence Eric Smith appealed the Delaware County trial court's denial of his motion to correct his sentence for aggravated robbery. Smith contended that the trial court failed to render any sentence on the Complicity to Aggravated Robbery conviction. Smith had previously been convicted and sentenced to 40 years in prison for multiple felonies, including aggravated robbery with a firearm specification. The Fifth District affirmed, finding the trial court properly sentenced him on the aggravated robbery charge and there was no unresolved issue related to complicity. The court found no abuse of discretion in denying the motion.	Montgomery, J.	6/27/2025
Criminal	STATE VS. MAJID NOSRATI	Case No. 24 CAA 11 0102	Appeal from the Delaware County Court of Common Pleas, Case No. 24 CRI 020137	Judgment Reversed and Remanded for Resentencing	Failure to make findings to overcome presumption of prison sentence The State of Ohio appealed the Delaware County trial court's sentence imposing three years of community control on Majid Nosrati, who pled guilty to second-degree felonious assault after stabbing a friend with a broken bottle and knife during an intoxicated argument. Although the trial court discussed factors related to Nosrati's mental health, criminal history, and the victim's serious injuries, it only made a finding addressing recidivism but failed to make the required statutory finding that community control would not demean the seriousness of the offense under R.C. 2929.13(D)(2)(b). As a result, the appellate court found the trial court did not properly overcome the statutory presumption favoring a prison term, reversed the sentence, and remanded the case for resentencing so the trial court could apply the correct statutory standard and make the necessary findings.	Hoffman, J.	7/2/2025
Criminal	STATE VS. RYAN COFFMAN	Case No. 24-COA-013	Appeal from the Ashland County Court of Common Pleas, Case No. 23-CRI-167	Affirmed	Sentencing; consecutive sentences Coffman pleaded guilty to four counts of pandering obscenity involving a minor and two counts of illegal use of a minor in nudity-oriented material after his family discovered child pornography on his devices and alerted authorities; following his guilty plea, the trial court sentenced him to consecutive prison terms totaling eight years, finding hundreds of disturbing images involving children as young as two, evidence of image sharing with others, and online searches related to the dark web and human trafficking. Coffman appealed, arguing the consecutive sentences were unsupported by the record and contrary to law, but the appellate court affirmed, concluding the trial court made the necessary findings under R.C. 2929.14(C)(4) regarding the seriousness of Coffman's conduct and the need to protect the public, and that the record clearly supported the imposed sentences.	Baldwin, P.J	7/2/2025

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Criminal	STATE VS. JADEN REYNOLDS	Case No. 2024-CA-0052	Appeal from the Richland County Court of Common Pleas, Case No. 2023-CR-0597R	Reversed and Remanded	Trial court erred in denying motion to suppress Reynolds appealed the May 15, 2024, judgment of the Richland County Court of Common Pleas denying his motion to suppress evidence obtained during a warrantless search of his residence following a shooting incident. After officers responded to gunfire reports and secured the area, they entered Reynolds' residence over an hour later without a warrant, discovering firearms and narcotics in plain view before obtaining a search warrant. The trial court denied the suppression motion solely on the ground that Reynolds lacked standing to challenge the search, even though the State never contested his standing at the suppression hearing. On appeal, the Fifth District Court of Appeals found the trial court erred in requiring Reynolds to prove standing absent any challenge from the State, sustained his first assignment of error, and reversed the judgment, remanding the case for the trial court to determine whether exigent circumstances justified the officers' warrantless entry into the residence.	Popham, J.	7/2/2025
Probate	BENJAMIN BRADLEY, ADMINISTRATOR OF THE ESTATE OF PATSY BRADLEY VS. ALTERCARE	Case No. 24CA00032	Appeal from the Gurnsey County Court of Common Pleas, Case No. 23PI000292	Affirmed	Summary judgment - amended complaint did not relate back to original; Civ.R. 15(D) Benjamin Bradley, as administrator of Patsy Bradley's estate, appealed the Guernsey County Court of Common Pleas' October 1, 2024, judgment granting summary judgment to Altercare. Patsy was injured in a nursing home fall and died in April 2021; Bradley filed a timely complaint naming incorrect nursing home operators and two John Doe defendants but later amended the complaint after the statute of limitations expired to name Altercare as the correct defendant. Altercare argued the amended complaint was untimely, and the trial court agreed, finding Bradley did not meet Civ.R. 15(D)'s requirements because he failed to sufficiently identify the culpable party in the original complaint or serve summonses with "name unknown" as required. Relying on the Ohio Supreme Court's decision in Erwin v. Bryan, the Fifth District Court of Appeals affirmed, concluding the amended complaint did not relate back to the original, the statute of limitations barred the claims, and summary judgment for Altercare was proper.	King, J.	7/2/2025
Civil	PATRICIA J. BERRY, ET AL. VS. TYLER A. MULLET, ET AL.	Case No. 24CA019	Appeal from the Holmes County Court of Common Pleas, Case No. 23CV012	Reversed and Remanded	Car accident; negligence; underinsured coverage under PIP no-fault policy; bad faith; conflicting payors; Ohio/Michigan law; substitution of medical expert Patricia and Craig Berry, injured in an Ohio car accident caused by Tyler Mullet in 2014, sued Mullet and Home-Owners Insurance for negligence and underinsured motorist benefits, later adding a bad faith claim and MCTWF, their health insurer, as a defendant. The trial court granted summary judgments favoring Home-Owners and Mullet, citing Michigan's statute of limitations, coordination of benefits, and alleged misrepresentations by Patricia Berry, while also denying the Berrys' motions to extend discovery and substitute a new medical expert after their original expert's death. The appellate court reversed, finding the trial court abused its discretion in denying the expert substitution and erred in granting summary judgments on statute of limitations, material misrepresentation, and coordination of benefits issues, as well as in striking the Berrys' filings for procedural service errors; the case was remanded for further proceedings.	King, J.	7/1/2025
Civil	PATRICIA J. BERRY, ET AL. VS. TYLER A. MULLET, ET AL. AND MICHIGAN CONFERENCE OF TEAMSTERS WELFARE FUND	Case No. 24CA018	Appeal from the Holmes County Court of Common Pleas, Case No. 23CV012	Reversed and Remanded	Car accident; negligence; underinsured coverage under PIP no-fault policy; bad faith; conflicting payors; Ohio/Michigan law; substitution of medical expert The Michigan Conference of Teamsters Welfare Fund (MCTWF) appealed the Holmes County trial court's grant of summary judgment in favor of Home-Owners Insurance Company, which barred Patricia and Craig Berry's and MCTWF's claims for accident-related medical expenses and bad faith stemming from a 2014 car accident caused by Tyler Mullet. The trial court had applied Michigan's statute of limitations via Ohio's borrowing statute, found Michigan law controlled the bad faith claim, ruled for Home-Owners on coordination of benefits, and determined Patricia Berry's alleged material misrepresentations barred her claims. On appeal, the court reversed, holding the Berry and MCTWF claims were contractual and outside Ohio's borrowing statute for torts, that the bad faith claim was timely, and that MCTWF's ERISA plan coordination of benefits provision potentially preempted Michigan law; it also found genuine issues of material fact regarding alleged misrepresentations, remanding the case for further proceedings.	King, J.	7/1/2025
Juvenile	IN THE MATTER OF: D.B.	Case No. 24-COA-037	Appeal from the Ashland County Juvenile Court, Case No. 20242125	Affirmed	Manifest weight; sufficiency D.B. appealed the judgment adjudicating him delinquent for interference with custody and falsification after he sheltered his 15-year-old girlfriend, E.H., overnight without her father's knowledge or consent, and then lied to police about her whereabouts. The trial court found D.B.'s actions—hiding E.H. and misleading both her father and law enforcement—constituted interference with custody under R.C. 2919.23(A), rejecting D.B.'s arguments that their relationship or E.H.'s voluntary presence excused his conduct. The appellate court reviewed the evidence and determined it was sufficient to support the conviction and not against the manifest weight of the evidence, affirming the trial court's judgment and overruling D.B.'s sole assignment of error.	King, J.	7/1/2025

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