

## CASE DECISION LIST

Court of Appeals, Eighth Appellate District

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**November 8, 2018**

**106668** COMMON PLEAS COURT A CRIMINAL C.P.  
STATE OF OHIO v CHARLES E. HOPPER, JR.

Affirmed.

Eileen A. Gallagher, A.J., Eileen T. Gallagher, J., and Frank D. Celebrezze, Jr., J., concur.

**KEY WORDS:** *Impeachment with a prior conviction, invited error, felonious assault.*

*Trial court did not err in questioning court's witness regarding a prior conviction for forgery where appellant conceded at trial that the questioning was appropriate.*

**106671** COMMON PLEAS COURT A CRIMINAL C.P.  
STATE OF OHIO v RONZELL D A HAYNESWORTH

Affirmed.

Larry A. Jones, Sr. J., Eileen A. Gallagher, A.J., and Eileen T. Gallagher, J., concur.

**KEY WORDS:** *Crim.R. 11 ( C)/guilty plea; effective assistance of counsel.*

*The trial court conducted an extensive colloquy with appellant regarding his mental state, prescribed medications and understanding of the proceedings. Appellant failed to show that his mental condition or his lack of taking all of his medications affected his judgment or ability to understand the proceedings. There was no error by the trial court in accepting appellant's guilty plea.*

*There was no indication that appellant was not competent; accordingly, appellant's counsel's failure to request a competency evaluation prior to appellant's plea did not prejudice appellant.*

**106814** COMMON PLEAS COURT E CIVIL C.P.-NOT JUV,DOM OR PRO  
STATE OF OHIO v SAMUEL REED, JR.

Affirmed.

Mary Eileen Kilbane, P.J., Frank D. Celebrezze, Jr., J., and Larry A. Jones, Sr. J., concur.

**KEY WORDS:** *Motion to correct a void sentence; petition for postconviction relief; res judicata; direct appeal; review in the first instance.*

## CASE DECISION LIST

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(Case 106814 continued)

**Judgment affirmed. The trial court properly denied defendant's motion when the defendant framed his argument as a challenge to a void sentence, but actually challenged the jury's guilty findings on his aggravated murder convictions in light of the jury's not guilty findings on the accompanying felony murder specifications. Defendant's motion to correct a void sentence is a petition for postconviction relief, which was untimely filed and barred by res judicata. Furthermore, this court cannot render a decision on defendant's sentencing issues because they were not raised in the motion he appealed from. Generally, we are not a court of first instance.**

**107081** JUVENILE COURT DIVISION F CIVIL C.P.-JUV, DOM, PROBATE  
IN RE: R.G.

Affirmed.

Mary Eileen Kilbane, P.J., Mary J. Boyle, J., and Frank D. Celebrezze, Jr., J., concur.

***KEY WORDS: Serious Youthful Offender ("SYO"); R.C. 2152.13; indictment; speedy trial.***

***The juvenile court did not err in dismissing a SYO indictment where the State failed to comply with the notice requirements set forth in 2152.13(A)(4). The State's proposed interpretation would have allowed it to evade the requirements and the juvenile's speedy trial rights set forth therein.***