

## CASE DECISION LIST

December 5, 2024

**113655** COMMON PLEAS COURT A Criminal C.P.  
STATE OF OHIO v GREGORY LUNA

Vacated, reversed, and remanded.

Anita Laster Mays, J., Michelle J. Sheehan, P.J., and Eileen T. Gallagher, J., concur.

**KEY WORDS:** *Conceded error; Loc.App.R. 16(B); Crim.R. 11(C)(2)(a); guilty plea; plea colloquy; knowing, intelligent, and voluntary; maximum potential sentence; R.C. 2929.18; restitution; competent; credible evidence.*

*Appellant's plea is vacated where the trial court's failure to advise appellant during the plea colloquy of the maximum potential penalty faced failed to comply with Crim.R. 11(C)(2)(a). Thus, the plea was not knowingly, intelligently, and voluntarily made. The trial court's restitution findings were not based on competent credible evidence.*

**113678** COMMON PLEAS COURT A Criminal C.P.  
STATE OF OHIO v RASHEED MATHIS

**113862** COMMON PLEAS COURT A Criminal C.P.  
STATE OF OHIO v RASHEED MATHIS

Affirmed in part, reversed in part, and remanded.

Kathleen Ann Keough, A.J., Mary J. Boyle, J., and Anita Laster Mays, J., concur.

**KEY WORDS:** *Motion to suppress; reasonable suspicion; remand; mandate; dismissal of case.*

*Trial court exceeded this court's limited remand by dismissing the case, and the dismissal was therefore void; trial court properly granted defendant's motion to suppress where the police extended the Terry stop of the defendant even after they no longer had a reasonable suspicion that the defendant was involved in an earlier armed robbery.*

**113721** COMMON PLEAS COURT A Criminal C.P.  
STATE OF OHIO v MALIK WILLIAMS

Affirmed.

Michael John Ryan, J., Mary J. Boyle, P.J., and Sean C. Gallagher, J., concur.

## CASE DECISION LIST

(Case 113721 continued)

**KEY WORDS:** Appellate review of felony sentence; R.C. 2953.08(G)(2); R.C. 2929.11; R.C. 2929.12; contrary to law.

**Judgment affirmed.** Appellant's sentence was within the statutory range, and the record demonstrates that the trial court considered both the purposes and principles of felony sentencing under R.C. 2929.11 and the seriousness and recidivism factors under R.C. 2929.12. Thus, the trial court's sentence was not contrary to law.

<b>114025</b>	JUVENILE COURT DIVISION	F	Civil C.P.-Juv, Dom, Probate
IN RE: F.G., ET AL.			

Affirmed.

Mary J. Boyle, P.J., Sean C. Gallagher, J., and Anita Laster Mays, J., concur.

**KEY WORDS:** *Permanent custody; parental rights; R.C. 2151.414(B)(1); R.C. 2151.414(D)(1); R.C. 2151.414(E); R.C. 2151.414(D)(2); clear and convincing evidence; manifest weight; best interests of the children.*

**Judgment affirmed.** *The trial court's decisions to deny appellant's motions for permanent custody, terminate temporary custody, and award legal custody to Mother were not against the manifest weight of the evidence. The agency did not prove by clear and convincing evidence that it was in the best interest of the children to grant permanent custody to the agency.*