

## CASE DECISION LIST

Court of Appeals, Eighth Appellate District

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July 24, 2025

<b>114425</b>	DOMESTIC RELATIONS	F	Civil C.P.-Juv, Dom, Probate
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A.M.F. v E.C.K.F.

Affirmed.

Emanuella D. Groves, J., Eileen A. Gallagher, A.J., and Anita Laster Mays, J., concur.

**KEY WORDS:** *Record on appeal; App.R. 9; magistrate's decision; objections; Civ.R. 53(D)(3)(b)(iii); post-decree modification of parental rights; abuse of discretion; R.C. 3109.04; transcript; presume regularity; pro se.*

**Judgment affirmed.** *Without trial transcripts or an acceptable substitute under App.R. 9 (C) or (D) this court must presume regularity and accept the facts as presented by the trial court. Accordingly, we affirm the trial court's decision and overrule appellant's assignments of error. Appellant's failures to comply with App.R. 9 and fulfill his duty of filing the necessary transcripts to enable this court to evaluate the trial court's judgment cannot be excused on the basis that he is acting pro se.*

<b>114521</b>	COMMON PLEAS COURT	A	Criminal C.P.
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STATE OF OHIO v SHERITA Q. BOOKER

Affirmed.

Mary J. Boyle, P.J., Sean C. Gallagher, J., and Kathleen Ann Keough, J., concur.

**KEY WORDS:** *Having a weapon while under disability; improperly handling a firearm in a motor vehicle; sufficiency of the evidence; manifest weight of the evidence.*

**Judgment affirmed.** *When viewing the evidence in a light most favorable to the State, any rational trier of fact could have found that appellant knew of the gun and had constructive possession of the gun, which was found in her glove compartment. Therefore, there is sufficient evidence to support her convictions for having a weapon while under disability and improperly handling a firearm in a motor vehicle.*

**Furthermore,** *appellant's convictions are not against the manifest weight of the evidence. Appellant's own testimony confirmed that she knew the gun was in the glove compartment.*

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**114568** JUVENILE COURT DIVISION F Civil C.P.-Juv, Dom, Probate  
IN RE: Z.H.

Affirmed.

Mary J. Boyle, J., Eileen T. Gallagher, P.J., and Deena R. Calabrese, J., concur.

**KEY WORDS:** *Permanent custody; best interest of the child; R.C. 2151.414(B)(1); R.C. 2151.414(D)(1); R.C. 2151.414(E) factors; reasonable efforts; clear and convincing evidence; manifest weight of the evidence; sufficiency; Evid.R. 612; refreshing recollection.*

**Affirmed.** *The juvenile court's decision granting permanent custody to the agency and terminating appellant's parental rights was not against the manifest weight of the evidence. Appellant failed to remedy the issues that caused the child's removal and demonstrated a lack of commitment towards the child. Finally, it was in the best interest of the child to grant permanent custody to the agency.*

**114632** COMMON PLEAS COURT E Civil C.P.-Not Juv, Dom Or Prob  
STATE OF OHIO v J.P.

Affirmed.

Michael John Ryan, J., Eileen A. Gallagher, A.J., and Emanuella D. Groves, J., concur.

**KEY WORDS:** *Pandering sexually oriented matter involving a minor; age not established; expungement.*

**Judgment affirmed.** *By the State's own concession, the age of the victims was not definitively established. Thus, the record did not demonstrate that the defendant was ineligible to have his record expunged because the victims were less than 13 years old. The trial court did not abuse its discretion in finding that the defendant expressed remorse for his crimes and had been rehabilitated. Thus, the trial court properly granted the defendant's motion for expungement.*

**114683** COMMON PLEAS COURT A Criminal C.P.  
STATE OF OHIO v MICHAEL STREETS

Dismissed.

Deena R. Calabrese, J., Emanuella D. Groves, P.J., and Anita Laster Mays, J., concur.

**KEY WORDS:** *App.R. 4(A)(1); condition of community control; direct appeal; bootstrapping.*

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(Case 114683 continued)

**Dismissed. Appellant's appeal of his motion to modify a condition of his community control is dismissed because it should have been raised in a direct appeal after the imposition of the condition.**

<b>114717</b>	COMMON PLEAS COURT	A	Criminal C.P.
STATE OF OHIO v YASIN VANCE			

Reversed and remanded.

Anita Laster Mays, J., Eileen A. Gallagher, A.J., and Michael John Ryan, J., concur.

**KEY WORDS:** *Conceded error.*

*The appellee concedes reversible error occurred because the trial court erred in entering convictions of fourth-degree felonies on the charges of aggravated theft and vandalism; and the trial court erred by failing to merge*

<b>114758</b>	COMMON PLEAS COURT	A	Criminal C.P.
STATE OF OHIO v MATTHEW MCGRATH			

Affirmed.

Deena R. Calabrese, J., Mary J. Boyle, P.J., and William A. Klatt, J.,\* concur.

(\*Sitting by assignment: William A. Klatt, J., retired, of the Tenth District Court of Appeals.)

**KEY WORDS:** *Falsification; insurance fraud; attempted grand theft; theft offense; deception; R.C. 2921.13(A)(9); R.C. 2913.47(B)(1); R.C. 2923.02; R.C. 2913.02(A)(3); Crim.R. 29; bench trial; GPS evidence; sufficiency; manifest weight.*

*Judgment affirmed. After a bench trial, the trial court convicted defendant-appellant of falsification in violation of R.C. 2921.13(A)(9) and attempted grand theft in violation of R.C. 2923.02 / 2913.02(A)(3) for filing a false stolen-vehicle report and seeking nearly \$50,000 in insurance proceeds. The State presented sufficient evidence to support the convictions, including body-camera footage of interviews with appellant, his own written statement alleging the theft of his truck and equipment, witness testimony, and GPS data indicating appellant had visited the location where the vehicle was recovered approximately an hour before filing his theft report. In addition, the convictions were not against the manifest weight of the evidence. A review of the entire record did not suggest that this was the exceptional case where the trial court clearly lost its way and created a manifest miscarriage of justice.*