

COURT OF APPEALS OF OHIO, FIFTH APPELLATE DISTRICT, DELAWARE
COUNTY

State v. Meinert

2025-Ohio-5310 · No. 25 CAA 02 0017 · Decided November 25, 2025

SUMMARY

The Ohio Fifth District Court of Appeals reviewed an Anders appeal from the revocation of Cassandra Meinert’s intervention in lieu of conviction. The court held that the trial court did not abuse its discretion in finding that Meinert violated a condition requiring completion of counseling or intensive outpatient treatment, revoking intervention, entering a finding of guilt, and imposing community control. The court granted appellate counsel’s motion to withdraw and affirmed the judgment.

CASE DETAILS

COURT	Court of Appeals of Ohio, Fifth Appellate District, Delaware County
WRITING FOR THE COURT	Robert G. Montgomery; Andrew J. King; Kevin W. Popham
JURISDICTION	Ohio Court of Appeals, Fifth Appellate District, Delaware County
DECIDED	November 25, 2025
DOCKET	25 CAA 02 0017
DISPOSITION	affirmed
PROCEDURAL POSTURE	Cassandra Meinert appealed from the Delaware County Court of Common Pleas judgment revoking her intervention in lieu of conviction, finding her guilty based on her guilty plea, and imposing community-control sanctions. Appointed appellate counsel filed an Anders brief and moved to withdraw, asserting that the appeal presented no nonfrivolous issues.
STANDARD OF REVIEW	Termination of intervention in lieu of conviction is reviewed for abuse of discretion. An abuse of discretion is more than an error of judgment and requires a decision that is unreasonable, arbitrary, or capricious; the appellate court may not substitute its judgment for that of the trial court. In an Anders appeal, the appellate court independently examines the record to determine whether any arguably meritorious issue exists.
PRECEDENTIAL VALUE	Published
PARTIES	Cassandra Meinert v. State of Ohio

TOPICS

criminal procedure

appellate procedure

standard of review

probation

PRACTICE AREAS

criminal procedure

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intervention in lieu of conviction

community control sanctions

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by finding that Meinert violated condition ten of her intervention-in-lieu-of-conviction plan.
2. Whether the trial court abused its discretion by revoking intervention in lieu of conviction and entering a finding of guilt.
3. Whether the Anders appeal presented any arguably meritorious issue.

HOLDINGS

1. When an offender fails to comply with a term or condition of an intervention-in-lieu-of-conviction plan, the trial court may continue intervention, continue it with additional terms or sanctions, or enter a finding of guilt and impose an appropriate sanction under R.C. Chapter 2929.
2. The trial court did not abuse its discretion in finding that Meinert violated condition ten and revoking intervention in lieu of conviction.
3. The appeal was wholly frivolous because independent review disclosed no arguably meritorious claim supporting reversal; appointed counsel's motion to withdraw was therefore properly granted.

KEY QUOTATIONS

"An abuse of discretion is more than an error of judgment; rather, it implies that the trial court's decision was unreasonable, arbitrary, or capricious." (§ 18)

"We therefore find the appeal to be wholly frivolous under Anders. Attorney Campbell's motion to withdraw as counsel for Appellant is hereby granted. The judgment of the Delaware County Court of Common Pleas is affirmed." (§ 22)

FACTUAL BACKGROUND

Meinert pleaded guilty to passing a bad check and obtained intervention in lieu of conviction based on mental-health concerns. One condition required her to participate in and successfully complete counseling programs deemed appropriate by her probation officer. After Meinert incurred a new strangulation charge, her probation officer directed her to obtain a mental-health assessment and complete an intensive outpatient treatment program, but Meinert did not participate and did not provide documentation excusing noncompliance. Following a hearing, the trial court revoked intervention, found her guilty, and imposed community control rather than incarceration.

PROCEDURAL HISTORY

A grand jury indicted Meinert for passing a bad check, a fifth-degree felony. After she pleaded guilty, the trial court granted intervention in lieu of conviction and imposed conditions, including completion of counseling programs deemed appropriate by her probation officer. The State later moved to terminate intervention based on alleged violations; after a hearing, the trial court found that Meinert failed to complete an intensive outpatient program, revoked intervention, entered a finding of guilt, and imposed community control. The Court of Appeals independently reviewed the record under Anders, granted counsel's motion to withdraw, and affirmed.

DISPOSITION

affirmed

CASES CITED

- Anders v. California, 386 U.S. 738 (1967)
- State v. Tsibouris, 2013-Ohio-3324 (1st Dist.)
- In re A.J.F., 2018-Ohio-1208 (11th Dist.)
- State v. Taylor, 2015-Ohio-420 (8th Dist.)
- Penson v. Ohio, 488 U.S. 75 (1988)
- State v. Pullen, 2002-Ohio-6788 (2d Dist.)
- State v. Moore, 2009-Ohio-1416 (2d Dist.)
- State v. Grant, 2023-Ohio-4614 (5th Dist.)
- State v. Reynolds, 2024-Ohio-1956 (5th Dist.)
- State v. Trimpe, 2019-Ohio-3017 (6th Dist.)
- State v. Thompson, 2017-Ohio-792 (3d Dist.)