

OHIO COURT OF APPEALS, SIXTH APPELLATE DISTRICT, LUCAS COUNTY

State v. Sweet

2026-Ohio-1082 · No. L-25-00111 · Decided March 27, 2026

SUMMARY

The Sixth District Court of Appeals of Ohio affirmed Jason M. Sweet’s convictions and aggregate prison sentence of 48 to 52 years for multiple child-pornography offenses. The court held that the trial court made the findings required for consecutive sentences under Ohio law and that the record did not clearly and convincingly fail to support those findings. The court also rejected Sweet’s ineffective-assistance claims, concluding that he did not show deficient performance or prejudice rendering his guilty plea involuntary.

CASE DETAILS

COURT	Ohio Court of Appeals, Sixth Appellate District, Lucas County
WRITING FOR THE COURT	Charles E. Sulek, J.; Thomas J. Osowik, P.J.; Myron C. Duhart, J.
JURISDICTION	Ohio Court of Appeals, Sixth Appellate District, Lucas County
DECIDED	March 27, 2026
DOCKET	L-25-00111
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from a judgment of conviction and sentence following guilty pleas to thirteen child-pornography-related offenses.
STANDARD OF REVIEW	Under R.C. 2953.08(G)(2), an appellate court may modify or vacate consecutive sentences only when it clearly and convincingly finds that the record does not support the trial court’s statutory findings or that the sentence is otherwise contrary to law. Ineffective-assistance claims are governed by the two-part Strickland test; in the guilty-plea context, prejudice requires a reasonable probability that, but for counsel’s errors, the defendant would not have pleaded guilty and would have insisted on going to trial.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Jason M. Sweet v. State of Ohio

TOPICS

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QUESTIONS PRESENTED

1. Whether the record clearly and convincingly failed to support the trial court's findings required by R.C. 2929.14(C)(4) for imposing consecutive sentences.
2. Whether trial counsel was ineffective for failing to move to suppress evidence, request a bill of particulars, investigate or challenge the charged offense degrees, and adequately present mitigation and proportionality arguments, thereby rendering Sweet's guilty plea unknowing, unintelligent, or involuntary.

HOLDINGS

1. The appellate court could not clearly and convincingly find that the record failed to support the trial court's findings that consecutive sentences were necessary to protect the public or punish Sweet, were not disproportionate to the seriousness of his conduct and the danger he posed to the public, and were supported by the statutory circumstances in R.C. 2929.14(C)(4)(a) and (b).
2. Sweet failed to establish ineffective assistance of counsel or a reasonable probability that, but for counsel's alleged errors, he would not have pleaded guilty and would have insisted on going to trial; therefore, his guilty plea was not shown to be unknowing, unintelligent, or involuntary.

KEY QUOTATIONS

“In other words, this statute requires the trial court to make three statutory findings before imposing consecutive sentences.” (¶ 8)

“Deference must be given to the trial court’s consecutive-sentence findings.” (¶ 11)

“To show prejudice in relation to a guilty plea, the defendant must show that there is a reasonable probability that, but for counsel’s errors, he would not have pleaded guilty and would have insisted on going to trial.” (¶ 22)

FACTUAL BACKGROUND

Sweet pleaded guilty to thirteen second-degree felony offenses involving pandering obscenity, pandering sexually oriented matter, and illegal use of a minor in nudity-oriented material or performance. The offenses involved downloaded and stored child sexual-abuse materials, including materials depicting very young children, and conduct involving a six-year-old child whom Sweet transported in his taxi. The trial court imposed consecutive sentences based on the victims' ages, the nature and extent of the harm, Sweet's communications and conduct indicating a risk of future victimization, and the need to protect the public.

PROCEDURAL HISTORY

Sweet pleaded guilty in the Lucas County Court of Common Pleas to thirteen second-degree felony offenses involving child sexual-abuse materials and related conduct. The trial court imposed consecutive prison terms totaling a minimum of 48 years and a maximum of 52 years. Sweet appealed, challenging the consecutive sentences and asserting ineffective assistance of counsel that allegedly rendered his guilty plea unknowing, unintelligent, and involuntary. The Court of Appeals affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Beasley, 2018-Ohio-493, ¶¶ 252-253
- State v. Bonnell, 2014-Ohio-3177, ¶¶ 26, 29, 37
- State v. Glover, 2024-Ohio-5195, ¶¶ 2, 43-46, 52, 55, 57, 59
- State v. Hammons, 2024-Ohio-6128, ¶¶ 22-24 (6th Dist.)
- State v. Shuttlesworth, 104 Ohio App.3d 281, 287 (7th Dist. 1995)
- State v. Hale, 2008-Ohio-3426, ¶ 204
- Strickland v. Washington, 466 U.S. 668, 687-692 (1984)
- State v. Sanders, 94 Ohio St.3d 150, 151 (2002)
- State v. Banks, 2002-Ohio-4858, ¶ 16 (9th Dist.)
- State v. Bradley, 42 Ohio St.3d 136, 142 (1989)
- State v. Frisbie, 2024-Ohio-5523, ¶ 23 (6th Dist.)
- Hill v. Lockhart, 474 U.S. 53, 58-59 (1985)
- State v. Xie, 62 Ohio St.3d 521, 524 (1992)
- State v. Heising, 2008-Ohio-6803, ¶ 12 (6th Dist.)
- State v. Bennett, 2008-Ohio-5812, ¶ 5 (6th Dist.)
- State v. Tingler, 2022-Ohio-3792, ¶ 11 (4th Dist.)
- State v. Spates, 64 Ohio St.3d 269, 272 (1992)
- State v. Schramm, 2022-Ohio-1535, ¶ 16 (6th Dist.)
- State v. Stuart, 2012-Ohio-2961, ¶ 21 (6th Dist.)