

OHIO COURT OF APPEALS, FIRST APPELLATE DISTRICT, HAMILTON
COUNTY

State v. Ngaide

2026-Ohio-478 · No. C-240635 · Decided February 13, 2026

SUMMARY

The Ohio First District Court of Appeals affirmed Kalidou Ngaide’s conviction for improperly handling a firearm in a motor vehicle under R.C. 2923.16(B). The court held that prosecuting Ngaide, who was not a qualifying adult because of a pending violent-misdemeanor charge, did not violate the Second Amendment as interpreted by *New York State Rifle & Pistol Assn. v. Bruen*. The opinion includes separate concurring opinions and a dissent addressing the constitutionality and historical basis of the statute.

CASE DETAILS

COURT	Ohio Court of Appeals, First Appellate District, Hamilton County
WRITING FOR THE COURT	Per curiam; Kinsley, P.J.; Crouse, J.; Bock, J.
JURISDICTION	Ohio Court of Appeals, First Appellate District, Hamilton County
DECIDED	February 13, 2026
DOCKET	C-240635
DISPOSITION	affirmed
PROCEDURAL POSTURE	Ngaide appealed after the Hamilton County Court of Common Pleas denied his motion to dismiss a charge of improperly handling a firearm in a motor vehicle on Second Amendment grounds, denied his Crim.R. 29 motion for acquittal as to that charge, found him guilty after a bench trial, and sentenced him to two years of nonreporting community control.
STANDARD OF REVIEW	De novo review of the denial of the motion to dismiss raising a Second Amendment and Bruen claim.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion; binding within the First Appellate District subject to higher-court review.
PARTIES	Kalidou Ngaide v. State of Ohio

TOPICS

second amendment

criminal procedure

statutory interpretation

appellate procedure

constitutional law

PRACTICE AREAS

criminal law

constitutional law

appellate practice

firearms regulation

statutory interpretation

QUESTIONS PRESENTED

1. Whether the Second Amendment, as interpreted by *New York State Rifle & Pistol Assn. v. Bruen*, barred Ohio from prosecuting Ngaide under R.C. 2923.16(B) for having a loaded firearm accessible in a motor vehicle while disqualified from qualifying-adult firearm exemptions by a pending violent-misdemeanor charge.
2. Whether the trial court erred in denying Ngaide's motion to dismiss the R.C. 2923.16(B) charge.

HOLDINGS

1. Under *State v. Hall*, *State v. Stonewall*, and *State v. Baxter*, the State may constitutionally prosecute Ngaide under R.C. 2923.16(B), notwithstanding his pending violent-misdemeanor charge and resulting lack of qualifying-adult status.
2. The trial court did not err in denying the motion to dismiss, and the court overruled Ngaide's sole assignment of error.

KEY QUOTATIONS

“We therefore hold that, under Hall, Stonewall, and Baxter, the State was permitted to prosecute Ngaide under R.C. 2923.16(B).” (¶ 7)

“Just as the State may criminalize the carrying of concealed weapons generally, it may also criminalize concealing them in a motor vehicle ‘to reduce the number of surprise shootings and to put individuals around the arms-bearer on notice of the dangerous weapon they carry.’” (¶ 22)

FACTUAL BACKGROUND

During a traffic stop, Kalidou Ngaide told officers that a gun was on the floor of his vehicle under the driver's seat. Officers searched the vehicle and found a loaded firearm in that location. The firearm was accessible to Ngaide without leaving the vehicle and was concealed from outside view. Ngaide had a pending violent-misdemeanor charge, so he was not a statutory qualifying adult under R.C. 2923.111(A)(1).

PROCEDURAL HISTORY

Ngaide was indicted for carrying a concealed weapon under R.C. 2923.12(A)(2) and improperly handling a firearm in a motor vehicle under R.C. 2923.16(B). The trial court denied his motion to dismiss both charges under the Second Amendment and *Bruen*, later acquitted him of the concealed-carry charge under Crim.R. 29, denied acquittal on the improper-handling charge, and entered a conviction and sentence. The First District reviewed the denial of the motion to dismiss de novo, overruled the sole assignment of error, and affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Stonewall, 2025-Ohio-4974 (1st Dist.)
- State v. Baxter, 2025-Ohio-5722 (1st Dist.)
- State v. Hall, 2025-Ohio-1644 (1st Dist.)
- New York State Rifle & Pistol Assn. v. Bruen, 597 U.S. 1 (2022)
- State v. Thacker, 2024-Ohio-5835, ¶ 7 (1st Dist.)
- State v. Troisi, 2022-Ohio-3582, ¶ 17 (1st Dist.)
- Nunn v. State, 1 Ga. 243, 251 (1846)
- Porello v. State, 121 Ohio St. 280, 289-290 (1929)
- Cleveland v. Betts, 107 Ohio App. 511, 512-513 (8th Dist. 1958)
- State v. Haugabrook, 31 Ohio Misc. 157, 158 (2d Dist. 1971)
- Johnson v. Montgomery, 2017-Ohio-7445, ¶ 14
- State ex rel. Cordray v. Midway Motor Sales, Inc., 2009-Ohio-2610, ¶ 27
- Mahoning Edn. Assn. of Developmental Disabilities v. State Emp. Relations Bd., 2013-Ohio-4654, ¶ 13
- State v. Brown, 2025-Ohio-8 (1st Dist.)
- State v. Barber, 2025-Ohio-1193, ¶¶ 64-79 (1st Dist.)