

COURT OF APPEALS OF OHIO, SECOND APPELLATE DISTRICT, CLARK COUNTY

State v. Martin

2026-Ohio-954 · No. C.A. No. 2025-CA-35 · Decided March 20, 2026

SUMMARY

The Ohio Second District Court of Appeals held that Joshua B. Martin’s Alford plea to attempted murder was not knowing, intelligent, and voluntary. The trial court failed to develop a sufficient factual basis, inquire into defense counsel’s investigation, address Martin’s self-defense claim, or determine that the plea represented a rational calculation despite his protestations of innocence. The court vacated the plea, reversed the trial court’s judgment, and remanded for further proceedings; it did not reach the issue of Martin’s pre-sentence motion to withdraw the plea.

CASE DETAILS

COURT	Court of Appeals of Ohio, Second Appellate District, Clark County
WRITING FOR THE COURT	Robert G. Hanseman; Tucker, J.; Huffman, J.
JURISDICTION	Ohio Court of Appeals, Second Appellate District, Clark County
DECIDED	March 20, 2026
DOCKET	C.A. No. 2025-CA-35
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Martin appealed his attempted-murder conviction after entering an Alford plea. He challenged the validity of the plea and the trial court’s denial of his presentence motion to withdraw it.
PRECEDENTIAL VALUE	published
PARTIES	Joshua Brice Martin v. State of Ohio

TOPICS

- plea bargaining
- criminal procedure
- appellate procedure
- right to counsel
- due process

PRACTICE AREAS

- criminal procedure
- plea bargaining
- appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court properly accepted Martin's Alford plea as knowing, intelligent, and voluntary when it did not require a sufficient factual basis, inquire into the State's evidence, investigate counsel's assessment and recommendation, or address Martin's claim of innocence and self-defense.
2. Whether the trial court erred in denying Martin's presentence motion to withdraw his plea.

HOLDINGS

1. A trial court may not accept an Alford plea unless the record contains a sufficient factual basis and demonstrates that the defendant made a rational, knowing, intelligent, and voluntary decision to plead despite maintaining innocence. The trial court's acceptance of Martin's plea was improper because it relied on a bare recitation of the indictment and failed to inquire into the State's evidence, defense counsel's investigation and recommendation, Martin's reasons for pleading, and his self-defense theory.
2. Because Martin's Alford plea was not shown to be knowing, intelligent, and voluntary, the plea was vacated, the trial court's judgment was reversed, and the matter was remanded for further proceedings.

KEY QUOTATIONS

“may voluntarily, knowingly, and understandingly consent to the imposition of a prison sentence even if he is unwilling or unable to admit his participation in the acts constituting the crime” (§ 16)

“requires more than a routine litany.” (§ 20)

“This requires, at a minimum, inquiry of the defendant concerning his reasons for deciding to plead guilty notwithstanding his protestations of innocence; it may require, in addition, inquiry concerning the state’s evidence in order to determine that the likelihood of the defendant’s being convicted of offenses of equal or greater magnitude than the offenses to which he is pleading guilty is great enough to warrant an intelligent decision to plead guilty.” (§ 20)

“The mere recitation of an indictment is insufficient to establish an adequate factual basis to support a charge for the purposes of taking an Alford plea.” (§ 29)

FACTUAL BACKGROUND

Martin was charged with attempted murder and related offenses arising from a July 24, 2021 shooting. The State alleged that Martin, a passenger in a vehicle, purposefully shot at Robert Gilbert; Martin maintained that Gilbert had fired at Martin's vehicle and house and acted in self-defense. At the Alford plea hearing, the State gave only a brief factual recitation, and the trial court did not inquire into the State's evidence, defense counsel's investigation, or Martin's reasons for pleading despite his asserted innocence.

PROCEDURAL HISTORY

Martin was reindicted on charges arising from a 2021 shooting and entered an Alford plea to attempted murder on the morning of trial in exchange for dismissal of the remaining charges and firearm specifications. Before sentencing, he moved to withdraw the plea, but the trial court denied the motion and sentenced him to an indefinite term of eight to twelve years. The Second District sustained his challenge to the plea, vacated the plea, reversed the judgment, and remanded.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The matter was remanded for further proceedings consistent with the opinion after vacatur of Martin's Alford plea.

CASES CITED

- North Carolina v. Alford, 400 U.S. 25 (1970)
- State v. Piacella, 27 Ohio St.2d 92, 94 fn. 1 (1971)
- Bruce v. United States, 379 F.2d 113, 119 (D.C. Cir. 1967)
- State v. Padgett, 67 Ohio App.3d 332, 338-339 (2d Dist. 1990)
- State v. Gossard, 2003-Ohio-3770, ¶¶ 9-15 (2d Dist.)
- State v. Williams, 1993 WL 102632, *5 (2d Dist.)
- State v. Adkins, 2015-Ohio-4605, ¶¶ 13, 16 (2d Dist.)
- State v. Schalk, 2020-Ohio-3392, ¶¶ 6-13 (2d Dist.)
- State v. Hughes, 2021-Ohio-111, ¶ 2 (4th Dist.)
- State v. Timmons, 2019-Ohio-2723, ¶ 11 (7th Dist.)