

COURT OF APPEALS OF OHIO, ELEVENTH APPELLATE DISTRICT,
PORTAGE COUNTY

State v. Tyes

2026-Ohio-973 · No. 2025-P-0029 · Decided March 23, 2026

SUMMARY

The Ohio Eleventh District Court of Appeals affirmed Julian A. Tyes’s convictions and consecutive prison sentences for involuntary manslaughter, corrupting another with drugs, and aggravated trafficking in drugs. The court held that the record supported the trial court’s consecutive-sentence findings under R.C. 2929.14(C)(4) and rejected challenges concerning the sentencing standard of review and consideration of the purposes and principles of felony sentencing.

CASE DETAILS

COURT	Court of Appeals of Ohio, Eleventh Appellate District, Portage County
WRITING FOR THE COURT	Scott Lynch; John J. Eklund; Eugene A. Lucci
JURISDICTION	Ohio Court of Appeals, Eleventh Appellate District, Portage County
DECIDED	March 23, 2026
DOCKET	2025-P-0029
DISPOSITION	affirmed
PROCEDURAL POSTURE	Tyes appealed his felony sentences from the Portage County Court of Common Pleas, arguing that the trial court improperly imposed consecutive sentences and that the record did not support the sentence.
STANDARD OF REVIEW	Under R.C. 2953.08(G)(2), the appellate court reviews the record, including the findings underlying a felony sentence, and may modify or vacate the sentence only if it clearly and convincingly finds that the record does not support the trial court's R.C. 2929.14(C)(4) findings or that the sentence is otherwise contrary to law. Abuse-of-discretion review does not apply to challenges to the length of a felony sentence. The appellate court may not independently weigh the evidence or substitute its judgment regarding compliance with R.C. 2929.11 and 2929.12.
PRECEDENTIAL VALUE	published and precedential
PARTIES	Julian A. Tyes v. State of Ohio

TOPICS

sentencing

standard of review

appellate procedure

sentencing guidelines

criminal procedure

PRACTICE AREAS

criminal law

felony sentencing

appellate criminal procedure

QUESTIONS PRESENTED

1. Whether the appellate court should apply an abuse-of-discretion standard when reviewing Tyes's felony sentence.
2. Whether the record clearly and convincingly failed to support the trial court's findings required for consecutive sentences under R.C. 2929.14(C)(4).
3. Whether the trial court failed to comply with R.C. 2929.11 and R.C. 2929.12 by imposing sentences allegedly inconsistent with Tyes's remorse, lack of intent to harm, and conduct during furlough.

HOLDINGS

1. Ohio appellate courts may not apply an abuse-of-discretion standard to challenges to felony sentencing terms. Review is governed by R.C. 2953.08(G)(2), including the clear-and-convincing standard for determining whether the record supports required consecutive-sentence findings or whether the sentence is otherwise contrary to law.
2. The consecutive sentences were lawful because the trial court made the findings required by R.C. 2929.14(C)(4), including that consecutive terms were necessary to protect the public or punish Tyes, were not disproportionate, and that the statutory additional factors were present; the record supported those findings.
3. A sentence is not contrary to law where the trial court considers the purposes and principles of felony sentencing and the R.C. 2929.12 seriousness and recidivism factors; the court need not assign particular weight to any factor, and an appellate court may not reweigh those factors.

KEY QUOTATIONS

“The appellate court may increase, reduce, or otherwise modify a sentence that is appealed under this section or may vacate the sentence and remand the matter to the sentencing court for resentencing . . . if it clearly and convincingly finds . . . [t]hat the record does not support the sentencing court’s findings under division . . . (C) (4) of section 2929.14 . . . [or] [t]hat the sentence is otherwise contrary to law.” (§10)

“Nothing in R.C. 2953.08(G)(2) permits an appellate court to independently weigh the evidence in the record and substitute its judgment for that of the trial court concerning the sentence that best reflects compliance with R.C. 2929.11 and 2929.12.” (§19)

FACTUAL BACKGROUND

Tyes sold cocaine containing fentanyl to two victims, resulting in their deaths. One victim expressed concern about fentanyl, and Tyes reassured her that the cocaine would be pure. Tyes had a substantial criminal history,

including drug trafficking, assault, gross sexual imposition, parole violations, and pending criminal cases; while released on furlough to address other criminal matters, he failed to return and was arrested by marshals.

PROCEDURAL HISTORY

A Portage County grand jury indicted Tyes on multiple drug-related and homicide-related felony charges. He pleaded guilty to two counts of involuntary manslaughter, two counts of corrupting another with drugs, and one count of aggravated trafficking in drugs; the remaining charges were dismissed. The trial court imposed consecutive prison terms for the involuntary-manslaughter and aggravated-trafficking offenses. The Eleventh District affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Marcum, 2016-Ohio-1002
- State v. Miller, 2025-Ohio-339
- State v. Garcia, 2021-Ohio-4480
- State v. Harnish, 2025-Ohio-431
- State v. Glover, 2024-Ohio-5195
- State v. Billings, 2024-Ohio-6000
- State v. Jones, State v. Jones, 2020-Ohio-6729
- State v. Hall, 2025-Ohio-5281
- State v. Santiago, 2025-Ohio-5862
- State v. Costello, 2022-Ohio-3354
- State v. Elliott, 2023-Ohio-412
- State v. Boone, 2024-Ohio-6116
- State v. McElroy, 2023-Ohio-3756
- State v. DelManzo, 2008-Ohio-5856
- State v. Claar, 2021-Ohio-2180
- State v. Pinkerman, 2024-Ohio-1150