

OHIO COURT OF APPEALS, FIRST APPELLATE DISTRICT, HAMILTON
COUNTY

State v. Gamble

2026-Ohio-1587 · No. C-250199 · Decided May 1, 2026

SUMMARY

The Ohio First District Court of Appeals affirmed Demetreist Gamble’s conviction for aggravated menacing. The court held that the conviction was not against the manifest weight of the evidence and that an “X” on the sentencing entry’s fine line indicated that no fine was imposed.

CASE DETAILS

COURT	Ohio Court of Appeals, First Appellate District, Hamilton County
WRITING FOR THE COURT	Bock, J.; Zayas, P.J.; Crouse, J.
JURISDICTION	Ohio First District Court of Appeals, Hamilton County
DECIDED	May 1, 2026
DOCKET	C-250199
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from a Hamilton County Municipal Court bench-trial conviction for aggravated menacing and the resulting sentence, challenging the manifest weight of the evidence and the alleged imposition of an unannounced fine.
STANDARD OF REVIEW	A manifest-weight challenge requires review of the entire record, weighing of the evidence, consideration of witness credibility, and reversal only in extraordinary circumstances where the trier of fact clearly lost its way and a manifest miscarriage of justice occurred. A misdemeanor sentence is reviewed for abuse of discretion.
PRECEDENTIAL VALUE	Published Ohio appellate opinion
PARTIES	Demetreist Gamble v. State of Ohio

TOPICS

- criminal procedure
- evidence
- sentencing
- standard of review
- appellate procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Gamble's aggravated-menacing conviction was against the manifest weight of the evidence because the trial court credited T.W.'s testimony.
2. Whether the trial court abused its discretion by allegedly imposing a fine in the sentencing entry without announcing a fine at the sentencing hearing.

HOLDINGS

1. The conviction was not against the manifest weight of the evidence because the trial court did not clearly lose its way in crediting T.W.'s testimony that Gamble threatened to shoot him and that T.W. subjectively believed Gamble would cause him serious physical harm.
2. The sentencing entry did not impose a fine. The "X" on the fine line indicated that the trial court chose not to impose a fine, while the check marks on the costs and remission lines indicated that court costs were assigned and remitted.

KEY QUOTATIONS

"A manifest-weight challenge asks this court to review the entire record, weigh the evidence, consider the credibility of the witnesses, and sit as the "thirteenth juror" to determine whether the trier of fact "clearly lost its way." (¶13)

"Defendants are entitled to know their sentences at their sentencing hearings and, "[a]s such, the sentence announced in open court and the sentence in the judgment entry must match." (¶23)

FACTUAL BACKGROUND

Gamble rented a room in a house owned by T.W. After the heat in Gamble's room allegedly remained unrepaired following two attempted HVAC visits, Gamble withheld rent and his relationship with T.W. deteriorated. During an exchange concerning access to the room and an HVAC inspection, Gamble allegedly told T.W., "stop playing with me because I'll shoot you." T.W. testified that he believed Gamble was capable of carrying out the threat and later found an altered toy gun in Gamble's room.

PROCEDURAL HISTORY

The State charged Gamble with aggravated menacing under R.C. 2903.21. After a bench trial, the Hamilton County Municipal Court found him guilty, sentenced him to 180 days in jail with 33 days of credit and 147 days suspended, imposed one year of community control with anger-management counseling, and remitted court costs. Gamble appealed, and the First District affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Thompson, 1997-Ohio-52, ¶¶22, 25
- State v. Hurt, 2024-Ohio-3115, ¶84 (1st Dist.)
- State v. Landrum, 2016-Ohio-5666, ¶9 (1st Dist.)
- State v. Antolini, 2025-Ohio-2060, ¶43 (1st Dist.)
- State v. Clemmons, 2020-Ohio-5394, ¶33 (12th Dist.)
- State v. Wright, 2024-Ohio-851, ¶32 (1st Dist.)
- State v. Higgins, 2022-Ohio-2754, ¶13 (1st Dist.)
- State v. James, 2005-Ohio-1996, ¶14 (1st Dist.)
- State v. Beachy, 2003-Ohio-1285, ¶4 (9th Dist.)
- Johnson v. Abdullah, 2021-Ohio-3304, ¶35
- State v. Fields, 2025-Ohio-2248, ¶¶43-44 (1st Dist.)
- State v. Bryan, 2019-Ohio-2980, ¶12 (5th Dist.)

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