

COURT OF APPEALS OF OHIO, EIGHTH APPELLATE DISTRICT,
CUYAHOGA COUNTY

State v. Jackson

2026-Ohio-741 · No. No. 115292 · Decided March 5, 2026

SUMMARY

The Ohio Eighth District Court of Appeals reversed Shayna Jackson’s conviction for misdemeanor endangering children under R.C. 2919.22(A). The court held that the State presented insufficient evidence that Jackson recklessly created a substantial risk to the child’s health or safety, including through the alleged physical acts and failure to obtain medical treatment.

CASE DETAILS

COURT	Court of Appeals of Ohio, Eighth Appellate District, Cuyahoga County
WRITING FOR THE COURT	Emanuella D. Groves; Lisa B. Forbes, P.J.; Eileen A. Gallagher, J.
JURISDICTION	Court of Appeals of Ohio, Eighth Appellate District, Cuyahoga County
DECIDED	March 5, 2026
DOCKET	No. 115292
DISPOSITION	reversed
PROCEDURAL POSTURE	Jackson appealed her conviction for misdemeanor endangering children after the trial court denied her Crim.R. 29 motion for acquittal. The Eighth District reviewed the sufficiency of the evidence and reversed the conviction.
STANDARD OF REVIEW	A Crim.R. 29 motion is reviewed under the same standard as a sufficiency-of-the-evidence challenge. The reviewing court determines whether, viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements proven beyond a reasonable doubt. The court may not assess witness credibility or weigh the evidence.
PRECEDENTIAL VALUE	Published Ohio appellate opinion
PARTIES	Shayna Jackson v. State of Ohio

TOPICS

- criminal procedure
- standard of review
- appellate procedure
- mens rea

PRACTICE AREAS

criminal law

criminal procedure

appellate practice

QUESTIONS PRESENTED

1. Whether the State presented sufficient evidence that Jackson recklessly created a substantial risk to the child's health or safety under R.C. 2919.22(A).
2. Whether the trial court should have granted Jackson's Crim.R. 29 motion for acquittal.

HOLDINGS

1. The State failed to present sufficient evidence that Jackson created a substantial risk to the child's health or safety. The brief incidents involving the child's neck, mouth, and nose, the hair pulling and ground incident, the belt lashes, and the failure to obtain medical treatment established at most a possibility or significant possibility of harm, not the strong possibility required by the statute.
2. The State failed to present sufficient evidence that Jackson recklessly created a substantial risk to the child's health or safety.
3. The trial court erred by denying Jackson's motion for acquittal because the evidence was insufficient to sustain the endangering-children conviction.

KEY QUOTATIONS

“The relevant inquiry is whether, after viewing the evidence in a light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime proven beyond a reasonable doubt.”
(Law and Analysis)

“A “substantial risk” to the health and safety of the child is more than a possibility, or even a significant chance; it requires more than mere speculation of the injury that could have occurred based on the defendant’s actions.” (Law and Analysis)

“Based on the foregoing, we find that the State failed to present sufficient evidence that Jackson recklessly created a substantial risk to the health and safety of the child.” (Law and Analysis)

FACTUAL BACKGROUND

Jackson, who had custody of a fourteen-year-old child, disciplined the child after a school incident involving alleged alcohol consumption. The child testified that Jackson struck her with a belt, pulled her hair, pushed her to the ground, briefly placed hands on her neck, and covered her mouth and nose, temporarily impeding her breathing. Police documented welts and a mark on the child's neck, but the child received no medical treatment and an officer testified that she did not believe immediate treatment was necessary. The jury acquitted Jackson of strangulation and domestic violence but convicted her of endangering children.

PROCEDURAL HISTORY

A grand jury indicted Jackson for strangulation, domestic violence, and endangering children. After a jury trial, she was acquitted of strangulation and domestic violence but convicted of endangering children and placed on

one year of community control. Jackson appealed, arguing that the State failed to present sufficient evidence of a substantial risk under R.C. 2919.22(A).

DISPOSITION

reversed

REMAND INSTRUCTIONS

The judgment of conviction was reversed. The opinion orders a special mandate to issue directing the common pleas court to carry the judgment into execution; no further fact-finding instructions were given.

CASES CITED

- Fairview Park v. Peah, 2021-Ohio-2685, ¶ 37 (8th Dist.)
- State v. Tenace, 2006-Ohio-2417, ¶ 37
- State v. Thompson, 78 Ohio St.3d 380, 387 (1997)
- State v. Jenks, 61 Ohio St.3d 259, 273 (1991)
- Jackson v. Virginia, 443 U.S. 307, 319 (1979)
- State v. Young, 2022-Ohio-3132, ¶ 47 (8th Dist.)
- In re A.W., 2016-Ohio-7297, ¶ 33 (8th Dist.)
- Cleveland v. Clark, 2024-Ohio-4491, ¶ 39
- In re D.R.S., 2016-Ohio-3262, ¶ 23 (8th Dist.)
- State v. Wells, 2021-Ohio-2585, ¶ 25 (8th Dist.)
- Cleveland Hts. v. Cohen, 2015-Ohio-1636, ¶ 25 (8th Dist.)
- Cleveland v. Alrefaei, 2020-Ohio-5009, ¶ 40 (8th Dist.)
- State v. Hughes, 2009-Ohio-4115, ¶ 21 (3d Dist.)
- Middletown v. McWhorter, 2006-Ohio-7030, ¶ 11 (12th Dist.)
- State v. Boyd, 2020-Ohio-3450, ¶ 26 (8th Dist.)
- State v. Kamel, 12 Ohio St.3d 306, 309 (1984)
- State v. Lewis, 2011-Ohio-187, ¶ 51 (5th Dist.)
- State v. Crenshaw, 2020-Ohio-4922 (8th Dist.)
- State v. Jemison, 2025-Ohio-5629, ¶ 53 (8th Dist.)
- State v. Jackson, 2004-Ohio-2332, ¶¶ 3-4, 24 (8th Dist.)
- State v. Phillips, 2014-Ohio-5322, ¶¶ 2, 26 (5th Dist.)