

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

City of Cleveland v. Stephen-E Johnson

Cleveland v. Johnson, 2026-Ohio-739 · No. 115262 · Decided March 5, 2026

SUMMARY

The Ohio Eighth District Court of Appeals reversed and remanded Stephen-E Johnson’s minor-misdemeanor traffic conviction for following too closely. The court held that the Cleveland Municipal Court abused its discretion by proceeding to trial without requiring the City to provide discovery demanded under Crim.R. 16, including police reports, videos, and a witness list, and that this deprived Johnson of the opportunity to present a defense. The court overruled Johnson’s challenge based on the trial judge’s alleged failure to file an oath of office and found his remaining assignments of error moot.

CASE DETAILS

COURT	Court of Appeals of Ohio, Eighth Appellate District, Cuyahoga County
WRITING FOR THE COURT	Mary J. Boyle, P.J.; Anita Laster Mays, J.; Kathleen Ann Keough, J.
JURISDICTION	Ohio Court of Appeals, Eighth Appellate District, Cuyahoga County
DECIDED	March 5, 2026
DOCKET	115262
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Defendant appealed his minor-misdemeanor traffic conviction after a bench trial in Cleveland Municipal Court, arguing, among other things, that the trial court violated his discovery rights under Crim.R. 16.
STANDARD OF REVIEW	Discovery rulings are reviewed for abuse of discretion.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion; precedential within the applicable Ohio appellate framework.
PARTIES	Stephen-E Johnson v. City of Cleveland

TOPICS

- discovery criminal
- criminal procedure
- sixth amendment
- due process
- appellate procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the municipal court lacked jurisdiction because the trial judge allegedly failed to file an oath-of-office certificate under R.C. 3.23.
2. Whether the trial court abused its discretion and violated Johnson's due-process and Sixth Amendment rights by requiring him to proceed to trial without discovery required by Crim.R. 16.
3. Whether the remaining assignments of error concerning an allegedly undisclosed witness, sufficiency of the evidence, and post-judgment motions required reversal.

HOLDINGS

1. The trial court had jurisdiction over Johnson's traffic case. Johnson failed to produce authenticated, persuasive evidence that the judge had not taken the oath of office or transmitted the required certificate.
2. The trial court abused its discretion by proceeding to trial without compelling the City to provide discovery required by Crim.R. 16 and by effectively sanctioning Johnson for the City's discovery violation.
3. The assignments concerning the alleged surprise witness, sufficiency of the evidence, and failure to rule on post-judgment motions were moot because the discovery error required reversal and remand.

KEY QUOTATIONS

“The City has an affirmative duty to provide a defendant with discovery after written demand.”

“Furthermore, forcing a defendant to go to trial without proper discovery denies the defendant of his Sixth Amendment right to present a defense.”

“must impose the least severe sanction that is consistent with the purpose of the rules of discovery.” (5)

FACTUAL BACKGROUND

Johnson was cited on February 15, 2025, for operating a vehicle too closely in violation of R.C. 4511.34. He proceeded pro se and requested discovery, including witness names, police reports, and dashcam or bodycam videos, but the City did not provide the discovery before trial. Although the trial court knew discovery had not been provided, it required Johnson to proceed to a bench trial, where two deputies testified about his following distance and Johnson was convicted.

PROCEDURAL HISTORY

Johnson was cited for following another vehicle too closely, pleaded not guilty, and proceeded pro se. Before trial, he made written and oral discovery requests, including requests for witness information, reports, and dashcam or bodycam videos. The municipal court continued the first trial date for discovery but proceeded with trial on the second date despite the City's failure to provide the requested discovery, found Johnson guilty, and imposed a \$75 fine and costs. The Court of Appeals rejected Johnson's jurisdictional oath-of-office argument, sustained his discovery assignment of error, held the remaining assignments moot, and reversed and remanded.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The case was remanded to the Cleveland Municipal Court, with a special mandate directing that court to carry the appellate judgment into execution. The opinion requires the lower court to provide or compel discovery in accordance with Crim.R. 16 before further proceedings.

CASES CITED

- Broadview Hts. v. Vukotic, 2025-Ohio-5855, ¶ 17 (8th Dist.)
- Johnson v. Abdullah, 2021-Ohio-3304, ¶ 35
- Lakewood v. Papadelis, 32 Ohio St.3d 1 (1987)
- State v. Darmond, 2013-Ohio-966, ¶ 4, ¶ 35
- State v. Parson, 6 Ohio St.3d 442 (1983)