

OHIO COURT OF APPEALS, TWELFTH APPELLATE DISTRICT

State of Ohio v. Shiviez Montrel Howard

State v. Howard, 2026-Ohio-1232 · No. CA2025-07-073 · Decided April 6, 2026

SUMMARY

The Twelfth District Court of Appeals of Ohio reviewed an Anders brief in Shiviez Montrel Howard's criminal appeal. The court found no prejudicial error, granted appointed counsel's motion to withdraw, and dismissed the appeal as wholly frivolous.

CASE DETAILS

COURT	Ohio Court of Appeals, Twelfth Appellate District
WRITING FOR THE COURT	Robert A. Hendrickson, Presiding Judge; Robin N. Piper, Judge; Melena S. Siebert, Judge
JURISDICTION	Ohio Court of Appeals, Twelfth Appellate District, Butler County
DECIDED	April 6, 2026
DOCKET	CA2025-07-073
DISPOSITION	dismissed
PROCEDURAL POSTURE	Criminal appeal from the Butler County Court of Common Pleas; appointed appellate counsel filed an Anders brief and moved to withdraw.
STANDARD OF REVIEW	Independent review of the record for prejudicial error and infringement of the appellant's constitutional rights under Anders v. California.
PRECEDENTIAL VALUE	Published
PARTIES	Shiviez Montrel Howard v. State of Ohio

TOPICS

- appellate procedure
- criminal procedure
- right to counsel

PRACTICE AREAS

- criminal appellate procedure
- right to counsel

QUESTIONS PRESENTED

1. Whether independent review of the record disclosed any prejudicial error or infringement of Howard's constitutional rights.
2. Whether appellate counsel should be permitted to withdraw under the Anders procedure.
3. Whether the appeal should be dismissed as wholly frivolous.

HOLDINGS

1. After independently examining the record, the court found no error prejudicial to Howard's rights in the trial-court proceedings.
2. The court granted appellate counsel's motion to withdraw after reviewing the Anders brief and independently examining the record.
3. The appeal was dismissed because it was wholly frivolous.

FACTUAL BACKGROUND

The opinion contains no substantive account of the underlying criminal conduct or conviction. The material facts for the appeal are that Howard appealed from the Butler County Court of Common Pleas, counsel identified two potential errors in an Anders brief, and Howard did not file a response after being given sufficient time.

PROCEDURAL HISTORY

Howard appealed from the Butler County Court of Common Pleas. His counsel filed an Anders brief stating that a careful review disclosed no prejudicial error, identifying two potential errors, requesting independent appellate review, and seeking withdrawal. After allowing Howard time to respond and receiving no response, the appellate court independently examined the record, found no prejudicial error, granted counsel's motion to withdraw, and dismissed the appeal as wholly frivolous.

DISPOSITION

dismissed

CASES CITED

- Anders v. California, 386 U.S. 738 (1967)