

COURT OF APPEALS OF OHIO, SIXTH APPELLATE DISTRICT, ERIE
COUNTY

State v. Gumm

2026-Ohio-211 · No. E-24-046 · Decided January 23, 2026

SUMMARY

The Sixth District Court of Appeals affirmed the Erie County Court of Common Pleas judgment resentencing Leslie A. Gumm and awarding 648 days of jail-time credit. The court held that credit under R.C. 2967.191 applies only to confinement arising from the offenses in the case and does not include time served for unrelated offenses in Michigan, the Ohio Department of Rehabilitation and Correction, or Wood County. The court also held that the Erie County jail-time-credit calculation was supported by the record and that no additional hearing was required.

CASE DETAILS

COURT	Court of Appeals of Ohio, Sixth Appellate District, Erie County
WRITING FOR THE COURT	Thomas J. Osowik, P.J.; Myron C. Duhart, J.; Charles E. Sulek, J.
JURISDICTION	Ohio Court of Appeals, Sixth Appellate District, Erie County
DECIDED	January 23, 2026
DOCKET	E-24-046
DISPOSITION	affirmed
PROCEDURAL POSTURE	Delayed appeal from the Erie County Court of Common Pleas's August 15, 2025 resentencing judgment entry. Gumm challenged the trial court's calculation of jail-time credit and its failure to conduct a hearing on the calculation.
STANDARD OF REVIEW	Under R.C. 2953.08(G)(2), the appellate court may increase, decrease, modify, or vacate and remand a disputed sentence if the record does not support the statutory findings or the sentence is otherwise contrary to law.
PRECEDENTIAL VALUE	published and precedential
PARTIES	Leslie A. Gumm v. State of Ohio

TOPICS

- sentencing
- criminal procedure
- appellate procedure
- standard of review
- preservation of error

PRACTICE AREAS

criminal procedure

sentencing

appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court correctly calculated Gumm's jail-time credit under R.C. 2967.191 and R.C. 2929.19(B)(2)(g)(i).
2. Whether the trial court was required to conduct a separate hearing or additional factfinding on the jail-time-credit calculation.
3. Whether confinement arising from unrelated offenses, including confinement in Michigan, ODRC custody, and Wood County, qualified for credit against Gumm's Erie County sentence.

HOLDINGS

1. Jail-time credit under R.C. 2967.191 is limited to days the defendant was confined for any reason arising out of the offense for which he was convicted and sentenced; confinement attributable to unrelated offenses does not qualify.
2. The trial court correctly determined that Gumm was entitled to 648 days of jail-time credit as of his August 7, 2024 resentencing.
3. ODRC must apply the trial court's factual determination of 648 days of jail-time credit and may not substitute its own determination for the court's calculation.

KEY QUOTATIONS

“The laws for jail-time credit lay out a two-step process: first, the trial court makes a factual determination as to the number of days of confinement appellant is entitled to have credited to his sentence, and, second, ODRC then applies that court-determined jail-time credit to appellant’s sentence reduce the stated prison term.” (§ 15)

“Jail-time credit does not shorten an offender’s prison sentence; it credits the offender with the time already spent in confinement prior to sentencing so that he does not serve more time than is imposed by his sentence.” (§ 16)

FACTUAL BACKGROUND

Gumm pleaded guilty to ten of eighteen felony offenses, including two burglaries, failure to comply, and seven grand thefts, and received an aggregate eight-year sentence. At resentencing, the trial court awarded 648 days of jail-time credit as of August 7, 2024. Gumm sought credit for additional periods of confinement, including time in Michigan, ODRC custody, Wood County, and Erie County, but the State contended that many of those periods arose from unrelated offenses. The appellate court concluded that the record supported the trial court's calculation of 648 days attributable to the Erie County offenses.

PROCEDURAL HISTORY

Gumm pleaded guilty to ten felony offenses in Erie County case No. 2020-CR-0106. After prior reversals and remands, the trial court resentenced him on August 7, 2024, and entered judgment on August 15, 2025, awarding 648 days of jail-time credit. Gumm appealed, arguing that he was entitled to additional credit, including time spent confined in Michigan, in the Ohio Department of Rehabilitation and Correction, and in Wood County. The Sixth District affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Gumm, E-22-054 (6th Dist. Oct. 6, 2023)
- State v. Fugate, 2008-Ohio-856, ¶ 1, fn. 1
- State v. Thompson, 2014-Ohio-4751, ¶ 43
- State v. Hearn, 2021-Ohio-86, ¶ 19 (6th Dist.)
- State v. Dobbins, 2020-Ohio-726, ¶ 18-19 (12th Dist.)
- State v. Williams, 2024-Ohio-5578, ¶ 88 (5th Dist.)
- State v. Bainter, 2009-Ohio-510, ¶ 10 (6th Dist.)
- State v. Garver, 2017-Ohio-1107, ¶ 19 (11th Dist.)
- State v. Kleinhans, 2023-Ohio-2621, ¶ 19-20 (6th Dist.)
- State v. Thomas, 2024-Ohio-5851, ¶ 13-14 (6th Dist.)
- State v. Cupp, 2018-Ohio-5211, ¶ 24
- State v. McCormick, 2025-Ohio-5549, ¶ 5 (2d Dist.)
- State v. Mitchell, 2005-Ohio-6138, ¶ 8 (6th Dist.)
- State ex rel. Gillen v. Ohio Adult Parole Authority, 72 Ohio St.3d 381 (1995)
- State ex rel. Rankin v. Ohio Adult Parole Auth., 2003-Ohio-2061, ¶ 7-8
- State v. Clinkscale, 2025-Ohio-2043, ¶ 11
- State v. Novoa, 2023-Ohio-3595, ¶ 38 (7th Dist.)
- State v. Moore, 2016-Ohio-3510, ¶ 18 (11th Dist.)