

COURT OF APPEALS OF OHIO, THIRD APPELLATE DISTRICT

State v. Long

2026-Ohio-1336 · No. 3-25-17 · Decided April 13, 2026

SUMMARY

The Ohio Third District Court of Appeals reviews Jeremy Long’s convictions and sentences for multiple rape and gross sexual-imposition offenses involving minor victims. The court states that the judgment is affirmed in part, reversed in part, and remanded, following review of the indictment amendments, trial proceedings, evidentiary matters, and sentencing.

CASE DETAILS

COURT	Court of Appeals of Ohio, Third Appellate District
WRITING FOR THE COURT	Juergen A. Waldick; Mark C. Miller; John R. Willamowski
JURISDICTION	Ohio Court of Appeals, Third Appellate District, Crawford County
DECIDED	April 13, 2026
DOCKET	3-25-17
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Jeremy Long appealed his convictions and sentences following a jury trial in the Crawford County Court of Common Pleas. He challenged the trial court's amendment of Counts 1 and 3 of the indictment and argued that all eight convictions were against the manifest weight of the evidence.
STANDARD OF REVIEW	The legality of an indictment amendment under Crim.R. 7(D) is reviewed de novo. A manifest-weight challenge requires the appellate court to review the entire record, weigh the evidence and reasonable inferences, consider witness credibility, and determine whether the factfinder clearly lost its way and created a manifest miscarriage of justice.
PRECEDENTIAL VALUE	published
PARTIES	Jeremy Long v. State of Ohio

TOPICS

- criminal procedure
- appellate procedure
- evidence
- grand jury
- standard of review

PRACTICE AREAS

criminal law

criminal procedure

appellate practice

QUESTIONS PRESENTED

1. Whether the trial court violated Crim.R. 7(D) and Long's constitutional rights by permitting the State to amend Counts 1 and 3 immediately before trial from rape under R.C. 2907.02(A)(1)(a) to rape under R.C. 2907.02(A)(2).
2. Whether Long's convictions on the remaining six counts were against the manifest weight of the evidence.

HOLDINGS

1. The amendment of Counts 1 and 3 from rape under R.C. 2907.02(A)(1)(a) to rape under R.C. 2907.02(A)(2) impermissibly changed the identity of the crimes charged because the offenses contained different elements requiring independent proof. The trial court therefore erred in granting the amendment, and the convictions on Counts 1 and 3 had to be reversed.
2. The remaining six convictions were not against the manifest weight of the evidence. The jury was entitled to credit the victims' testimony despite inconsistencies, delayed disclosures, and Long's contrary testimony, and the evidence did not weigh heavily against the convictions.

KEY QUOTATIONS

“Under Crim.R. 7(D), a change in the name or identity of the charged crime occurs when an indictment is amended so that the offense alleged in the original indictment and the offense alleged in the amended indictment contain different elements requiring independent proof.” (¶52)

“Accordingly, by adding the forcible rape language to the indictment by way of the amendment, the amendment of Counts 1 and 3 served to impermissibly change the identity of the crimes charged in those two counts.” (¶58)

“In summary, following this Court’s independent review of the record and weighing of the evidence and all reasonable inferences therefrom, we conclude that this is not the exceptional case where the evidence weighed heavily against conviction, nor is there any indication that the jury lost its way in finding Long guilty of the six counts at issue.” (¶74)

FACTUAL BACKGROUND

Long was convicted of multiple rape and gross-sexual-imposition offenses involving four minor victims. The prosecution presented testimony that Long engaged in sexual conduct or sexual contact with the victims at residences where he lived, including conduct involving force, restraint, touching, oral sex, and attempted or completed penetration. Long denied the allegations and challenged the credibility and consistency of the victims' accounts.

PROCEDURAL HISTORY

A Crawford County grand jury indicted Long on nine sex-offense counts. Before and during trial, the trial court permitted several amendments to the indictment, including changing Counts 1, 3, and 4 from rape under R.C. 2907.02(A)(1)(a) to rape under R.C. 2907.02(A)(2); Count 4 was later dismissed. A jury convicted Long on the remaining eight counts, and the trial court imposed consecutive and concurrent prison terms as specified in the sentencing entry. The appellate court reversed the convictions on Counts 1 and 3 because the amendment changed the identity of the crimes charged, affirmed the remaining convictions, and remanded.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Remanded to the Crawford County Court of Common Pleas for further proceedings consistent with the opinion, including proceedings concerning Counts 1 and 3 and execution of the judgment for costs.

CASES CITED

- State v. Troisi, 2022-Ohio-3582
- State v. Sellards, 17 Ohio St.3d 169 (1985)
- State v. Dukes, 2003-Ohio-2386
- State v. Abdullah, 2007-Ohio-7010
- State v. Kittle, 2005-Ohio-3198
- State v. Cook, 2019-Ohio-3610
- State v. Dilley, 47 Ohio St.3d 20 (1989)
- State v. Thompkins, 78 Ohio St.3d 380 (1997)
- State v. Stewart, 2023-Ohio-253
- State v. DeHass, 10 Ohio St.2d 230 (1967)
- State v. Haller, 2012-Ohio-5233
- State v. Hunter, 2011-Ohio-6524
- State v. Williams, 2024-Ohio-2307
- State v. Shockey, 2024-Ohio-296
- State v. Lewis, 2020-Ohio-6894
- State v. Bones, 2015-Ohio-784
- State v. Lykins, 2019-Ohio-3316
- State v. Weaver, 2019-Ohio-2715
- State v. Mathis, 2004-Ohio-2982
- State v. Hooper, 2022-Ohio-2990