

COURT OF APPEALS OF OHIO, ELEVENTH APPELLATE DISTRICT,
PORTAGE COUNTY

State v. Kashat

2026-Ohio-2254 · No. 2025-P-0054 · Decided June 15, 2026

SUMMARY

The Eleventh District Court of Appeals of Ohio affirmed Donna M. Kashat’s conviction for misdemeanor domestic violence. The court held that sufficient evidence supported the finding that the victim was a family or household member under Ohio’s domestic-violence statute and rejected claims of ineffective assistance of counsel. The court also upheld the trial court’s refusal to give a self-defense jury instruction.

CASE DETAILS

COURT	Court of Appeals of Ohio, Eleventh Appellate District, Portage County
WRITING FOR THE COURT	Eugene A. Lucci; Matt Lynch; John J. Eklund
JURISDICTION	Ohio Court of Appeals, Eleventh Appellate District, Portage County
DECIDED	June 15, 2026
DOCKET	2025-P-0054
DISPOSITION	affirmed
PROCEDURAL POSTURE	Donna M. Kashat appealed her misdemeanor domestic-violence conviction and sentence following a jury trial in the Portage County Municipal Court, Ravenna Division.
STANDARD OF REVIEW	Sufficiency of the evidence is reviewed by asking whether, viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could find the essential elements beyond a reasonable doubt. Manifest-weight claims require 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. Ineffective-assistance claims are governed by the deficient-performance and prejudice test. A trial court's decision whether to exclude untimely self-defense evidence under Crim.R. 12.2 is reviewed for abuse of discretion, as is the decision whether the evidence warrants a self-defense instruction.
PRECEDENTIAL VALUE	published

PARTIES

Donna M. Kashat v. State of Ohio, City of Ravenna

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the evidence was sufficient to prove domestic violence, including that Dejanovic was a family or household member because the parties were spouses or had cohabited.
2. Whether the domestic-violence conviction was against the manifest weight of the evidence.
3. Whether trial counsel was ineffective for failing to directly challenge the family-or-household-member element.
4. Whether trial counsel was ineffective for failing to request a hearing concerning lost witness statements, 911 records, and photographs.
5. Whether trial counsel was ineffective for failing to provide notice of an intent to assert self-defense.
6. Whether the trial court abused its discretion by denying a self-defense jury instruction.
7. Whether cumulative error required reversal.

HOLDINGS

1. The State presented sufficient evidence that Dejanovic was a family or household member under R.C. 2919.25 because the parties were married, had lived together periodically, shared familial and financial interests, and had a consortium relationship; a shared address was not required.
2. The conviction was not against the manifest weight of the evidence because the evidence, viewed as a whole, supported the jury's finding that Kashat knowingly caused physical harm to her spouse or cohabitant.
3. Counsel was not ineffective for failing to directly challenge the family-or-household-member element because Kashat could not establish deficient performance or prejudice in light of the evidence supporting that element.
4. Counsel was not ineffective for failing to request a hearing regarding misplaced witness statements, 911 records, and photographs because counsel reasonably and strategically challenged the investigation's failure to preserve the evidence through cross-examination.
5. Counsel was not ineffective for failing to file a self-defense notice because the record reasonably supported counsel's conclusion that Kashat's conduct did not satisfy the elements of nondeadly-force self-defense.

6. The trial court acted within its discretion in denying a self-defense instruction because the evidence was ambiguous and did not sufficiently support the required elements of self-defense.
7. The cumulative-error doctrine did not apply because the court found no individual errors.

KEY QUOTATIONS

“the offense of domestic violence arises out of the relationship itself, not the fact that the parties happen to share one address.” (§ 20)

“In sum, we hold that the State produced sufficient evidence and the evidence, in its entirety, militates in favor of the jury’s verdict.” (§ 29)

“We hold this was a reasonable tactical decision.” (§ 46)

“We hold the trial court acted within its discretion in denying the request.” (§ 66)

FACTUAL BACKGROUND

Donna Kashat and Mijo Dejanovic were married but generally lived in separate states, spending periods of time together and discussing Kashat's planned move to Ohio. Kashat arrived unexpectedly at Dejanovic's Ohio residence to obtain a package, took his phone, and sprayed him in the face and head with Raid wasp spray after he attempted to retrieve it. The couple's testimony and a video recording supported the State's case, and Kashat was convicted of domestic violence.

PROCEDURAL HISTORY

A criminal complaint charged Kashat with one count of domestic violence under R.C. 2919.25. After a jury found her guilty, the municipal court sentenced her to 30 days in jail, suspended 15 days, with credit for four days served. The court of appeals rejected six assignments of error and affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Dent, 2020-Ohio-6670
- State v. Jenks, 61 Ohio St.3d 259 (1991)
- State v. Thompson, 1997-Ohio-52
- State v. Martin, 20 Ohio App.3d 172 (1st Dist. 1983)
- State v. DiBiase, 2012-Ohio-6125
- State v. Fasline, 2015-Ohio-715
- State v. Biros, 1997-Ohio-204
- State v. Payne, 2014-Ohio-4304
- State v. Nicely, 39 Ohio St.3d 147 (1988)

- State v. Windle, 2011-Ohio-4171
- State v. Nevius, 147 Ohio St. 263 (1947)
- State v. Armstrong, 2016-Ohio-7841
- State v. Williams, 79 Ohio St.3d 459 (1997)
- State v. Crisp, 2023-Ohio-3537
- State v. Woullard, 2004-Ohio-3395
- State v. Brown, 2015-Ohio-950
- State v. Young, 1998 WL 801498 (2d Dist. Nov. 20, 1998)
- State v. McGlothan, 2014-Ohio-85
- State v. Carswell, 2007-Ohio-3723
- State v. Andrus, 2020-Ohio-6810
- State v. Bradley, 42 Ohio St.3d 136 (1989)
- State v. Robinson, 2021-Ohio-1064
- Strickland v. Washington, 466 U.S. 668 (1984)
- State v. Sallie, 1998-Ohio-343
- State v. Carter, 1995-Ohio-104
- State v. Hawkins, 2024-Ohio-1253
- State v. Marcellino, 2019-Ohio-4837
- State v. Lewis, 2025-Ohio-2178
- Maumee v. Yeager, 2024-Ohio-858
- State v. Weemes, 2025-Ohio-2319
- State v. Ridley, 2022-Ohio-2561