

OHIO COURT OF APPEALS, FIFTH APPELLATE DISTRICT, MUSKINGUM
COUNTY

State v. Thomas

2026-Ohio-728 · No. CT2025-0075 · Decided March 4, 2026

SUMMARY

The Ohio Fifth District Court of Appeals affirmed the Muskingum County Court of Common Pleas’ denial of William Thomas’s motion to withdraw his guilty plea. The court held that the trial court provided Thomas a meaningful opportunity to be heard and sufficiently inquired into his reasons for seeking withdrawal, and therefore did not abuse its discretion.

CASE DETAILS

COURT	Ohio Court of Appeals, Fifth Appellate District, Muskingum County
WRITING FOR THE COURT	Craig R. Baldwin, P.J.; Robert G. Montgomery, J.; David M. Gormley, J.
JURISDICTION	Ohio Court of Appeals, Fifth Appellate District, Muskingum County
DECIDED	March 4, 2026
DOCKET	CT2025-0075
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed the Muskingum County Court of Common Pleas' denial of his presentence oral motion to withdraw his guilty plea and the resulting sentence.
STANDARD OF REVIEW	Abuse of discretion. The decision on a motion to withdraw a guilty plea will not be disturbed unless it is unreasonable, arbitrary, or unconscionable.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	William Thomas v. State of Ohio

TOPICS

- plea bargaining
- criminal procedure
- standard of review
- appellate procedure

PRACTICE AREAS

- criminal procedure
- plea bargaining
- appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by denying Thomas's presentence motion to withdraw his guilty plea.
2. Whether the trial court was required to conduct a more extensive or separate hearing on Thomas's motion to withdraw his guilty plea.

HOLDINGS

1. The trial court did not abuse its discretion in denying Thomas's presentence motion to withdraw his guilty plea because it conducted a thorough plea colloquy, heard Thomas's reasons for seeking withdrawal, and reasonably determined that the motion lacked merit.
2. The trial court was not required to conduct a full or separate evidentiary hearing because it addressed the motion on the record during sentencing, gave Thomas meaningful notice and an opportunity to be heard, and sufficiently inquired into the asserted reasons for withdrawal.

KEY QUOTATIONS

“The Court held that presentence motions to withdraw should be freely and liberally given. Id. However, the Court also stated that such motions are not automatically granted, as “a defendant does not have an absolute right to withdraw a plea prior to sentencing.”” (¶9)

“We find that the trial court provided the appellant with an opportunity to be heard and sufficiently inquired into the reasons for his motion to withdraw.” (¶13)

FACTUAL BACKGROUND

After a vehicle collision, William Thomas approached R.L., a man over age sixty-five, demanded money, took R.L.'s wallet, struck him, and kicked him after he fell. Thomas and a codefendant took money and used R.L.'s debit card, and R.L. suffered facial and bodily lacerations. Thomas later entered a negotiated guilty plea, but sought to withdraw it at sentencing, claiming pressure from counsel and requesting a jury trial.

PROCEDURAL HISTORY

Thomas was indicted on aggravated robbery, felonious assault, and theft-related offenses. He initially pleaded not guilty, then entered a negotiated guilty plea to felonious assault with a repeat violent offender specification and two theft offenses in exchange for dismissal of aggravated robbery. At sentencing, before sentence was imposed, he orally moved to withdraw his plea, asserting that counsel pressured him and that he wanted a jury trial. The trial court heard and denied the motion, imposed an aggregate six-to-nine-year prison sentence, and the Court of Appeals affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Smith, 49 Ohio St.2d 261 (1977)
- Blakemore v. Blakemore, 5 Ohio St.3d 217, 219 (1983)
- State v. Xie, 62 Ohio St.3d 521 (1992)
- Barker v. United States, 579 F.2d 1219, 1223 (10th Cir. 1978)
- State v. Peterseim, 68 Ohio App.2d 211, 213-214, 22 O.O.3d 341, 343, 428 N.E.2d 863, 865 (1980)
- State v. Foster, 2008-Ohio-29 (5th Dist.)
- State v. Wright, Highland App. No. 94 CA 853, 1995 Ohio App. LEXIS 2963
- State v. Davis, Lawrence App. No. 05CA9, 2005-Ohio-5015
- State v. Smith, Cuyahoga App. No. 61464, 1992 Ohio App. LEXIS 6259
- State v. Foster, 109 Ohio St.3d 1, 2006-Ohio-856

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