

OHIO COURT OF APPEALS, NINTH JUDICIAL DISTRICT

State v. Condupi

2026-Ohio-1132 · No. 2024CA0098-M · Decided March 31, 2026

SUMMARY

The Ninth District Court of Appeals of Ohio affirmed John Condupi's rape conviction and sentence of ten years to life imprisonment. The court held that the trial court did not abuse its discretion by denying Condupi's motions for substitute counsel without a hearing, but remanded for correction of the judgment entry to remove an improper reference to post-release control.

CASE DETAILS

COURT	Ohio Court of Appeals, Ninth Judicial District
WRITING FOR THE COURT	Betty Sutton; Flagg Lanzinger; Stevenson
JURISDICTION	Ohio Court of Appeals, Ninth Judicial District
DECIDED	March 31, 2026
DOCKET	2024CA0098-M
DISPOSITION	remanded
PROCEDURAL POSTURE	Defendant appealed his rape conviction and life sentence, arguing that the trial court improperly denied his motions for substitute counsel without a hearing and improperly imposed post-release control.
STANDARD OF REVIEW	Abuse of discretion for denial of a motion to substitute appointed counsel; plain-error review for the unpreserved challenge to post-release control.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	John M. Condupi, Jr. v. State of Ohio

TOPICS

- right to counsel
- criminal procedure
- sentencing
- appellate procedure
- standard of review

PRACTICE AREAS

- criminal procedure
- criminal sentencing
- right to counsel
- appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by denying Condupi's multiple motions for substitute counsel without conducting a hearing.
2. Whether imposing or including post-release control in the judgment for a life sentence constituted plain error.

HOLDINGS

1. The trial court did not abuse its discretion by denying Condupi's multiple motions for substitute counsel without a hearing because his complaints were largely vague or generalized and he did not show a breakdown in the attorney-client relationship of sufficient magnitude to jeopardize his right to effective assistance of counsel.
2. Post-release control was not applicable to Condupi's sentence of life imprisonment with parole eligibility after ten years; the improper post-release-control language had to be deleted from the judgment entry, but the error did not constitute plain error and no new sentencing hearing was required.

KEY QUOTATIONS

"If a defendant alleges facts, which, if true, would require relief, the trial court must inquire into the defendant's complaint and make the inquiry part of the record." (§ 9)

"Each sentence to a prison term, other than a term of life imprisonment, for a felony of the first degree, for a felony of the second degree, for a felony sex offense, or for a felony of the third degree that is an offense of violence and is not a felony sex offense shall include a requirement that the offender be subject to a period of post-release control imposed by the parole board after the offender's release from imprisonment." (§ 15)

"However, because Mr. Condupi was sentenced to life imprisonment with the possibility of parole after serving a minimum of ten years, post-release control was not a subject the trial judge needed to address with Mr. Condupi at the sentencing hearing or include in the judgment entry." (§ 18)

FACTUAL BACKGROUND

Condupi was charged with rape based on alleged sexual conduct with a person under thirteen. After being found competent and not suffering from a severe mental defect at the time of the offense, he repeatedly sought new appointed counsel, alleging ineffectiveness, conflict of interest, discovery problems, and disagreements about trial strategy. He was convicted after a bench trial and received an indefinite sentence of a minimum of ten years to a maximum of life imprisonment, with parole eligibility after ten years; the trial court also included five years of post-release control in its advisements and judgment entry.

PROCEDURAL HISTORY

Condupi was indicted for rape, found competent to stand trial after competency and sanity evaluations, and filed multiple pro se motions to substitute or dismiss appointed counsel. The Medina County Court of Common Pleas denied the motions, conducted a bench trial after Condupi waived a jury, found him guilty, and sentenced him to a mandatory indefinite term of ten years to life, while advising him about five years of post-release control. The court of appeals overruled both assignments of error, affirmed the judgment, and remanded solely for correction of the judgment entry to remove the post-release-control language.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The trial court must prepare a corrected judgment entry omitting any reference to post-release control. No new sentencing hearing is required.

CASES CITED

- State v. Dawalt, 2007-Ohio-2438, ¶¶ 14-15 (9th Dist.)
- State v. Cowans, 87 Ohio St.3d 68, 72 (1999)
- State v. Edsall, 113 Ohio App.3d 337, 339 (9th Dist. 1996)
- State v. Blankenship, 102 Ohio App.3d 534, 558 (12th Dist. 1995)
- State v. Simmons, 2020-Ohio-614, ¶ 22 (9th Dist.)
- State v. Jones, 91 Ohio St.3d 335, 342 (2001)
- State v. Coleman, 37 Ohio St.3d 286, 292 (1988)
- Blakemore v. Blakemore, 5 Ohio St.3d 217, 219 (1983)
- State v. Stanley, 2026-Ohio-197, ¶¶ 27-35 (5th Dist.)
- State v. Anderson, 2010-Ohio-2085, ¶ 30 (8th Dist.)