

OHIO NINTH DISTRICT COURT OF APPEALS

State v. Weber

2026-Ohio-1142 · No. 25AP0008 · Decided March 31, 2026

SUMMARY

Jeremy G. Weber appealed his conviction for aggravated arson arising from a fire set to an RV. The Ninth District held that sufficient evidence supported finding the RV was an occupied structure under Ohio law. It reversed and remanded the restitution order because the trial court’s determination that Paul Pratt Service and Towing was the victim was based on an unsupported factual finding.

CASE DETAILS

COURT	Ohio Ninth District Court of Appeals
WRITING FOR THE COURT	Betty Sutton; Jennifer Hensal; Flagg Lanzinger
JURISDICTION	Ohio Ninth District Court of Appeals
DECIDED	March 31, 2026
DOCKET	25AP0008
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Defendant appealed his felony aggravated-arson conviction and sentence, including a \$9,975 restitution order payable to Paul Pratt Service and Towing, from the Wayne County Court of Common Pleas.
STANDARD OF REVIEW	Sufficiency of the evidence is reviewed de novo, viewing the evidence in the light most favorable to the State. The legal question of who qualifies as a victim entitled to restitution is reviewed de novo, while the trial court's factual findings are reviewed for competent, credible evidence.
PRECEDENTIAL VALUE	Published
PARTIES	Jeremy G. Weber v. State of Ohio

TOPICS

- criminal procedure
- appellate procedure
- standard of review
- restitution criminal
- statutory interpretation

PRACTICE AREAS

- criminal law
- criminal procedure
- sentencing and restitution
- appellate litigation

QUESTIONS PRESENTED

1. Whether sufficient evidence established that Weber's nonfunctioning RV was an "occupied structure" under R.C. 2909.01(C), supporting his aggravated-arson conviction under R.C. 2909.02(A)(2).
2. Whether the trial court's restitution order payable to Paul Pratt Service and Towing was supported by competent, credible evidence establishing that the towing company was a victim directly and proximately harmed by the offense.

HOLDINGS

1. The evidence was sufficient for a rational trier of fact to find beyond a reasonable doubt that the RV was an occupied structure under R.C. 2909.01(C)(2), (3), and (4), because Weber had been staying in it, was present in it on the date of the fire, and the RV contained a sleeping area.
2. The restitution order must be reversed and remanded because the trial court expressly based its determination that Paul Pratt Service and Towing was a victim on the mistaken factual belief that the RV burned on the towing company's property, and that finding was not supported by competent, credible evidence. The court did not decide whether the towing company could qualify as a victim under R.C. 2929.18 on the correct facts.

KEY QUOTATIONS

"Whether a conviction is supported by sufficient evidence is a question of law that this Court reviews de novo." (¶ 10)

"Viewing the evidence in a light most favorable to the State, a rational trier of fact could have found the State proved the RV is an occupied structure, pursuant to R.C. 2909.01(C)(2), (3), and (4), and Mr. Weber committed aggravated arson beyond a reasonable doubt." (¶ 13)

"Accordingly, where the trial court has expressly based its decision and analysis on the mistaken belief that the fire occurred on the property of Paul Pratt Service and Towing, this Court must reverse for further proceedings." (¶ 19)

FACTUAL BACKGROUND

Weber owned an RV that remained on the property of Spangler Air & Repair while he worked on it and attempted to make it operable. After the property owner arranged for the RV to be towed, Weber was awakened inside the RV and threatened to burn it; shortly after he exited, the RV caught fire. The evidence showed Weber had stayed in the RV, was removing personal belongings from it immediately before the fire, and that the RV was on Spangler Air & Repair's property when it burned. Paul Pratt Service and Towing incurred \$9,975 for services associated with handling and disposing of the burned RV.

PROCEDURAL HISTORY

Weber was charged with two counts of aggravated arson, arson, and criminal damaging or endangering. After a jury trial, he was acquitted on one aggravated-arson count, convicted on the other, and the trial court declared a mistrial on the remaining counts. The trial court imposed a four-to-six-year prison sentence, arson-offender

registration, and \$9,975 in restitution to Paul Pratt Service and Towing. The Court of Appeals overruled the sufficiency challenge, sustained the restitution challenge, and remanded.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The trial court must determine, pursuant to R.C. 2929.18, the victim or victims entitled to receive restitution in the amount of \$9,975, based on the correct factual record and proceedings consistent with the appellate decision.

CASES CITED

- State v. Williams, 2009-Ohio-6955, ¶ 18 (9th Dist.)
- State v. Thompkins, 78 Ohio St.3d 380, 386, 390 (1997)
- Jackson v. Virginia, 443 U.S. 307, 319 (1979)
- State v. Jenks, 61 Ohio St.3d 259, 273 (1991)
- State v. Yerkey, 2022-Ohio-4298, ¶¶ 15-16, 19
- State v. Cartwright, 2017-Ohio-7212, ¶ 11 (12th Dist.)
- State v. Miller, 2013-Ohio-985, ¶ 6 (9th Dist.)
- State v. Crosby, 2024-Ohio-2877, ¶ 14 (1st Dist.)
- State v. Haskett, 2024-Ohio-5933, ¶ 18 (1st Dist.)
- State v. Thornton, 2017-Ohio-4037, ¶ 20 (1st Dist.)