

COURT OF APPEALS OF OHIO, SECOND APPELLATE DISTRICT, GREENE COUNTY

State v. Taylor

2026-Ohio-1306 · No. 2025-CA-51 · Decided April 10, 2026

SUMMARY

The Ohio Second District Court of Appeals affirmed Nancy Jean Taylor’s 30-month prison sentence for third-degree-felony theft from a person in a protected class. The court held that the sentence was within the statutory range and that the trial court had considered the purposes and principles of felony sentencing under R.C. 2929.11 and the factors under R.C. 2929.12. The court rejected Taylor’s claims that the sentence was contrary to law, excessive, or unsupported by the record.

CASE DETAILS

COURT	Court of Appeals of Ohio, Second Appellate District, Greene County
WRITING FOR THE COURT	Robert G. Hanseman; Tucker, J.; Huffman, J.
JURISDICTION	Ohio Court of Appeals, Second Appellate District, Greene County
DECIDED	April 10, 2026
DOCKET	2025-CA-51
DISPOSITION	affirmed
PROCEDURAL POSTURE	Taylor appealed her felony sentence after pleading guilty in the Greene County Court of Common Pleas.
STANDARD OF REVIEW	Under Ohio Revised Code 2953.08(G)(2), an appellate court may modify or vacate a felony sentence only upon clear and convincing evidence that the record does not support specified statutory findings or that the sentence is otherwise contrary to law. When the sentence is based solely on consideration of R.C. 2929.11 and 2929.12, the appellate court reviews whether the sentence is contrary to law and may not independently reweigh the sentencing evidence.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Nancy Jean Taylor v. State of Ohio

TOPICS

- sentencing
- sentencing guidelines
- appellate procedure
- standard of review
- criminal procedure

PRACTICE AREAS

criminal law

criminal procedure

appellate sentencing review

QUESTIONS PRESENTED

1. Whether Taylor's 30-month prison sentence was contrary to law because the trial court allegedly misapplied the purposes and principles of felony sentencing under R.C. 2929.11 and the seriousness and recidivism factors under R.C. 2929.12.
2. Whether the sentence was excessive and unsupported by the record.

HOLDINGS

1. When a felony sentence is imposed after consideration of R.C. 2929.11 and R.C. 2929.12, an appellate court does not independently weigh the sentencing evidence or substitute its judgment for the trial court's; it reviews whether the sentence is contrary to law.
2. Taylor's 30-month prison sentence was not contrary to law because it fell within the authorized statutory range for a third-degree felony and the trial court stated that it had considered R.C. 2929.11 and R.C. 2929.12.

KEY QUOTATIONS

“Nothing in R.C. 2953.08(G)(2) permits an appellate court to independently weigh the evidence in the record and substitute its judgment for that of the trial court concerning the sentence that best reflects compliance with R.C. 2929.11 and 2929.12.” (¶ 10)

“The trial court has full discretion to impose any sentence within the authorized statutory range, and the court is not required to make any findings or give its reasons for imposing maximum or more than minimum sentences.” (¶ 9)

FACTUAL BACKGROUND

Taylor pleaded guilty to stealing \$7,504 from an elderly client who had paid her to arrange a Disney cruise and related travel. Taylor did not make the arrangements or refund the money, and admitted using the victim's money to pay bonds after an arrest in Kentucky. The trial court considered Taylor's criminal history, the presentence investigation report, victim impact statement, and statutory felony-sentencing factors before imposing a 30-month prison term and restitution.

PROCEDURAL HISTORY

Taylor pleaded guilty to third-degree-felony theft from a person in a protected class. After a presentence investigation, restitution hearing, and sentencing hearing, the trial court imposed a 30-month prison sentence and ordered restitution. Taylor challenged the sentence as contrary to law, excessive, and unsupported by the record.

DISPOSITION

affirmed

CASES CITED

- State v. Marcum, 2016-Ohio-1002
- State v. Bryant, 2022-Ohio-1878
- State v. Jones, State v. Jones, 2020-Ohio-6729
- State v. Dorsey, 2021-Ohio-76 (2d Dist.)
- State v. Brown, 2017-Ohio-8416 (2d Dist.)
- State v. King, 2013-Ohio-2021 (2d Dist.)
- State v. Benedict, 2021-Ohio-966 (2d Dist.)
- State v. Trent, 2021-Ohio-3698
- State v. Stevens, 2023-Ohio-3510 (2d Dist.)

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