

COURT OF APPEALS OF OHIO, FOURTH APPELLATE DISTRICT,
LAWRENCE COUNTY

State v. Hargis

2026-Ohio-726 · No. 25CA18 · Decided February 25, 2026

SUMMARY

The Ohio Fourth District Court of Appeals affirmed Justin Ryan Hargis’s convictions following guilty pleas to aggravated possession of drugs and theft. The court held that the plea colloquy adequately conveyed the mandatory nature of post-release control and that Hargis failed to establish ineffective assistance of counsel based on counsel’s failure to request a waiver of court costs.

CASE DETAILS

COURT	Court of Appeals of Ohio, Fourth Appellate District, Lawrence County
WRITING FOR THE COURT	Michael D. Hess; Smith, P.J.; Wilkin, J.
JURISDICTION	Ohio Court of Appeals, Fourth Appellate District, Lawrence County
DECIDED	February 25, 2026
DOCKET	25CA18
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed convictions entered after guilty pleas to aggravated possession of drugs and theft, challenging the validity of his plea and alleging ineffective assistance of counsel based on counsel's failure to request a waiver of court costs.
STANDARD OF REVIEW	The validity of the guilty plea was reviewed de novo. The ineffective-assistance claim was evaluated under the deficient-performance and prejudice test, with prejudice assessed objectively under Strickland and State v. Bradley.
PRECEDENTIAL VALUE	Published
PARTIES	Justin Ryan Hargis v. State of Ohio

TOPICS

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

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Hargis's guilty pleas were not knowingly, intelligently, and voluntarily entered because the trial court did not use the word "mandatory" when advising him that post-release control would apply.
2. Whether trial counsel rendered ineffective assistance by failing to request a waiver of court costs and whether Hargis established resulting prejudice.

HOLDINGS

1. The trial court substantially complied with Crim.R. 11(C)(2)(a) because its statement that Hargis "will have to serve" post-release control conveyed that post-release control was mandatory; therefore, the guilty pleas were knowingly, intelligently, and voluntarily entered.
2. Hargis failed to establish ineffective assistance because he did not show deficient performance or a reasonable probability that the trial court would have waived court costs had counsel made the request.

KEY QUOTATIONS

"And as previously advised, do you understand that in the event that you're sent to a penal institution, you will have to serve a period of post-release control of up to three years but no less than eighteen months on Count One of the indictment, and up to two years of post-release control on Count Two of the indictment?" (¶ 5)

"The trial court is not required to use the term "mandatory" if the words used convey the same meaning or the trial court uses equivalent terms such as "will," "shall," "must," or "required."" (¶ 13)

"A determination of indigency alone does not rise to the level of creating a reasonable probability that the trial court would have waived costs had defense counsel moved the court to do so." (¶ 18)

FACTUAL BACKGROUND

Hargis was indicted for aggravated possession of drugs, theft, possession of criminal tools, and criminal damaging. Under a negotiated plea agreement, he pleaded guilty to the drug-possession and theft counts, and the other counts were dismissed. During the plea colloquy, the trial court stated that he would have to serve post-release control and explained the applicable periods; at sentencing, the court did not impose mandatory criminal fines but advised that court costs could be paid through a payment plan or community service.

PROCEDURAL HISTORY

A Lawrence County grand jury indicted Hargis on four counts. He initially pleaded not guilty, then entered a negotiated guilty plea to aggravated possession of drugs and theft in exchange for dismissal of the remaining counts and a jointly recommended concurrent sentence of four to six years on the drug count and twelve months on the theft count. The trial court accepted the pleas, imposed the recommended sentence, and Hargis appealed; the Court of Appeals affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Pierce, 2024-Ohio-82, ¶ 8 (4th Dist.)
- State v. Dangler, 2020-Ohio-2765, ¶¶ 10-11
- Parke v. Raley, 506 U.S. 20, 28-29 (1992)
- State v. Stone, 43 Ohio St.2d 163, 168 (1975)
- State v. Veney, 2008-Ohio-5200, ¶¶ 14-15
- State v. Stewart, 51 Ohio St.2d 86 (1977)
- State v. Nero, 56 Ohio St.3d 106, 108 (1990)
- State v. Sarkozy, 2008-Ohio-509, ¶¶ 25-26
- State v. Bradford, 2024-Ohio-2669, ¶ 10 (4th Dist.)
- State v. Tolbert, 2017-Ohio-9159, ¶ 27 (8th Dist.)
- State v. Rucker, 2016-Ohio-5111, ¶ 6 (1st Dist.)
- State v. Taylor, 2020-Ohio-3514, ¶¶ 6-7
- State v. Wilson, 2019-Ohio-2754, ¶ 25 (4th Dist.)
- State v. Davis, 2020-Ohio-309, ¶¶ 1, 12, 15
- State v. Bradley, 42 Ohio St.3d 136, 141-142, 538 N.E.2d 373 (1989)
- State v. Phillips, 2022-Ohio-478, ¶ 15 n.2 (4th Dist.)
- State v. Kelly, 2026-Ohio-71, ¶ 14 (4th Dist.)
- State v. Rister, 2023-Ohio-1284, ¶ 27 (4th Dist.)
- State v. Lansing, 2025-Ohio-4641, ¶ 14 (4th Dist.)
- State v. Walton, 2024-Ohio-6071, ¶ 41