

OHIO COURT OF APPEALS, NINTH JUDICIAL DISTRICT

State v. Higgins

2026-Ohio-1133 · No. 2025CA0046-M · Decided March 31, 2026

SUMMARY

The Ninth District Court of Appeals of Ohio affirmed Thomas Higgins's conviction for corrupting another with drugs following a fentanyl overdose. The court held that Higgins knowingly, voluntarily, and intelligently waived his right to counsel and that his conviction was not against the manifest weight of the evidence.

CASE DETAILS

COURT	Ohio Court of Appeals, Ninth Judicial District
WRITING FOR THE COURT	Betty Sutton; Jennifer Hensal; Julie A. Stevenson
JURISDICTION	Ohio Court of Appeals, Ninth Judicial District
DECIDED	March 31, 2026
DOCKET	2025CA0046-M
DISPOSITION	affirmed
PROCEDURAL POSTURE	Thomas Higgins appealed his Medina County Court of Common Pleas conviction for corrupting another with drugs, arguing that the trial court improperly permitted him to represent himself and that the conviction was against the manifest weight of the evidence.
STANDARD OF REVIEW	The validity of waiver of counsel is reviewed under the totality of the circumstances, including whether the defendant knowingly, voluntarily, and intelligently waived counsel. A manifest-weight challenge requires review of the entire record, including the evidence, reasonable inferences, and witness credibility, to determine whether the factfinder clearly lost its way and created a manifest miscarriage of justice.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Thomas Higgins v. State of Ohio

TOPICS

- right to counsel
- sixth amendment
- criminal procedure
- standard of review
- appellate procedure

PRACTICE AREAS

criminal procedure

constitutional law

appellate procedure

criminal evidence

QUESTIONS PRESENTED

1. Whether the trial court sufficiently determined that Higgins knowingly, voluntarily, and intelligently waived his Sixth Amendment right to counsel before permitting him to represent himself.
2. Whether Higgins's conviction for corrupting another with drugs was against the manifest weight of the evidence.

HOLDINGS

1. The trial court sufficiently inquired into Higgins's waiver of counsel and properly permitted him to represent himself because the totality of the circumstances established that he knowingly, voluntarily, and intelligently relinquished his right to counsel.
2. Higgins's conviction was not against the manifest weight of the evidence because the jury did not clearly lose its way or create a manifest miscarriage of justice in finding him guilty.

KEY QUOTATIONS

“A defendant who wishes to represent himself must knowingly, voluntarily, and intelligently waive his right to counsel.” (§ 8)

“Based upon this record, and the totality of the circumstances, the trial court made sufficient inquiry into whether Mr. Higgins knowingly, voluntarily, and intelligently relinquished his right to counsel.” (§ 17)

“in determining whether a criminal conviction is against the manifest weight of the evidence an appellate court must review the entire record, weigh the evidence and all reasonable inferences, consider the credibility of witnesses and determine whether, in resolving conflicts in the evidence, the trier of fact clearly lost its way and created such a manifest miscarriage of justice that the conviction must be reversed and a new trial ordered.” (§ 22)

FACTUAL BACKGROUND

Z.H. died from a fentanyl overdose, and the State charged his alleged drug dealer, Thomas Higgins, with corrupting another with drugs under Ohio Revised Code section 2925.02(A)(3)/(C)(1). Higgins initially entered a plea of not guilty by reason of insanity, but the trial court found him competent and later entered a not-guilty plea after the insanity plea was withdrawn. Higgins waived counsel after repeated warnings about the dangers of self-representation and represented himself at trial. The jury found him guilty and specifically found that fentanyl was the controlled substance involved.

PROCEDURAL HISTORY

Higgins was charged with second-degree-felony corrupting another with drugs after the fentanyl-overdose death of Z.H. He initially pleaded not guilty by reason of insanity, but after competency proceedings the plea was withdrawn and a not-guilty plea was entered. The trial court permitted appointed counsel to withdraw after

conducting a self-representation colloquy and obtaining Higgins's written waiver of counsel. Following a jury conviction and a mandatory indefinite prison sentence of five to seven and one-half years, Higgins appealed. The Ninth District overruled both assignments of error and affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Yeager, 2018-Ohio-574, ¶ 6 (9th Dist.)
- State v. Tucker, 2016-Ohio-1353, ¶ 11 (9th Dist.)
- State v. Gibson, 45 Ohio St. 2d 366 (1976)
- State v. Trikilis, 2005-Ohio-4266, ¶¶ 12-13 (9th Dist.)
- State v. Briggs, 2021-Ohio-1980, ¶¶ 8-10 (9th Dist.)
- Faretta v. California, 422 U.S. 806, 835-836 (1975)
- State v. Otten, 33 Ohio App. 3d 339, 340 (9th Dist. 1986)
- State v. Thompkins, 78 Ohio St. 3d 380, 387 (1997)
- Tibbs v. Florida, 457 U.S. 31, 42 (1982)
- State v. Gannon, 2020-Ohio-3075, ¶ 20 (9th Dist.)
- State v. Yatson, 2022-Ohio-2621, ¶ 69 (9th Dist.)
- State v. Ross, 2023-Ohio-1185, ¶ 10 (9th Dist.)
- State v. Vincente-Colon, 2010-Ohio-6242, ¶ 20 (9th Dist.)