

OHIO COURT OF APPEALS, FIFTH APPELLATE DISTRICT, GUERNSEY  
COUNTY

State v. Jones

2026-Ohio-990 · No. 2025 CA 00021 · Decided March 23, 2026

SUMMARY

The Ohio Fifth District Court of Appeals affirmed Sherman Jones's convictions and aggregate fourteen-to-eighteen-year prison sentence for aggravated drug possession and aggravated drug trafficking with a forfeiture specification. The court held that the trial court properly considered the statutory sentencing factors and made and supported the findings required for consecutive sentences under R.C. 2929.14(C)(4).

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Ohio Court of Appeals, Fifth Appellate District, Guernsey County                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| WRITING FOR THE COURT | William B. Hoffman; Robert G. Montgomery; Craig R. Baldwin                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| JURISDICTION          | Ohio Court of Appeals, Fifth Appellate District, Guernsey County                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| DECIDED               | March 23, 2026                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| DOCKET                | 2025 CA 00021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| DISPOSITION           | affirmed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| PROCEDURAL POSTURE    | Defendant appealed from the Guernsey County Court of Common Pleas judgment convicting him upon no-contest pleas and imposing consecutive prison terms.                                                                                                                                                                                                                                                                                                                                                                                                               |
| STANDARD OF REVIEW    | Under R.C. 2953.08(G)(2), the appellate court may modify or vacate a felony sentence only if it clearly and convincingly finds that the record does not support the trial court's required statutory findings or that the sentence is otherwise contrary to law. The appellate court may not independently reweigh the sentencing factors or substitute its judgment for that of the trial court. Review of consecutive sentences is limited to the trial court's R.C. 2929.14(C)(4) findings and whether the record clearly and convincingly fails to support them. |
| PRECEDENTIAL VALUE    | Published Ohio Court of Appeals opinion; binding precedent within the Fifth Appellate District to the extent recognized under Ohio law.                                                                                                                                                                                                                                                                                                                                                                                                                              |
| PARTIES               | Sherman E. Jones v. State of Ohio                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

## TOPICS

sentencing

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appellate procedure

standard of review

criminal procedure

## PRACTICE AREAS

criminal law

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## QUESTIONS PRESENTED

1. Whether the trial court imposed a felony sentence contrary to law by failing to properly consider the mitigating and recidivism factors under R.C. 2929.11 and R.C. 2929.12.
2. Whether the trial court made the findings required by R.C. 2929.14(C)(4) to impose consecutive sentences.
3. Whether the record clearly and convincingly failed to support the trial court's consecutive-sentence findings.

## HOLDINGS

1. The sentence was not contrary to law because the trial court stated that it considered the purposes and principles of felony sentencing, considered the R.C. 2929.12 factors, and imposed a sentence within the permissible statutory range. The appellate court could not independently reweigh those factors.
2. The trial court made the findings required by R.C. 2929.14(C)(4), including that consecutive sentences were necessary to punish Jones and protect the public, were not disproportionate, and that the offenses formed part of a course of conduct causing unusually great or unusual harm and that his criminal history demonstrated the need for consecutive sentences.
3. The record supported the trial court's consecutive-sentence findings; the appellate court did not clearly and convincingly find that the evidence failed to support them.

## KEY QUOTATIONS

*“Nothing in R.C. 2953.08(G)(2) permits this Court to independently weigh the evidence in the record and substitute our own judgment for that of the trial court to determine a sentence which best reflects compliance with R.C. 2929.11 and R.C. 2929.12.” (¶ 12)*

*“The trial court must make the R.C. 2929.14(C)(4) findings at the sentencing hearing and incorporate its findings into its sentencing entry, but it has no obligation to state reasons to support its findings, nor must it recite certain talismanic words or phrases in order to be considered to have complied.” (¶ 18)*

## FACTUAL BACKGROUND

During a traffic stop, officers found more than 105 grams of suspected methamphetamine in Jones's vehicle, and Jones admitted that the drugs belonged to him and that he was transporting them for sale. A search of his residence uncovered additional methamphetamine and trafficking-related items, including baggies, a drug-residue-covered scale, and a surveillance system. Jones admitted selling drugs and accepting tools and other items in exchange for drugs. The trial court also considered his prior convictions, including a prior aggravated-

trafficking conviction, and his release from prison approximately two years before the current trafficking offense.

## PROCEDURAL HISTORY

A Guernsey County grand jury indicted Jones on two counts of aggravated possession of drugs and two counts of aggravated trafficking in drugs, with a forfeiture specification. Pursuant to a negotiated plea, Jones pleaded no contest to one count of aggravated possession and one count of aggravated trafficking with the forfeiture specification; the State dismissed the remaining charges. The trial court imposed consecutive sentences totaling fourteen to eighteen years, and Jones appealed. The Fifth District affirmed.

## DISPOSITION

affirmed

## CASES CITED

- State v. Roberts, 2020-Ohio-6722, ¶ 13 (5th Dist.)
- State v. Marcum, 2016-Ohio-1002
- State v. Bonnell, 2014-Ohio-3177
- State v. Hodges, 2013-Ohio-5025, ¶ 7 (8th Dist.)
- State v. Jones, State v. Jones, 2020-Ohio-6729, ¶ 42
- State v. Pettorini, 2021-Ohio-1512, ¶¶ 14-16 (5th Dist.)
- State v. Dinka, 2019-Ohio-4209, ¶ 36 (12th Dist.)
- State v. Glover, 2024-Ohio-5195, ¶¶ 43-46
- State v. Gwynne, 2023-Ohio-3851, ¶¶ 14-15
- Cross v. Ledford, 161 Ohio St. 469, 120 N.E.2d 118 (1954), paragraph three of the syllabus

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