

OHIO COURT OF APPEALS, NINTH JUDICIAL DISTRICT

State v. Davis

2026-Ohio-540 · No. 31442 · Decided February 18, 2026

SUMMARY

Nasheemia Davis appealed her conviction for indirect criminal contempt in the Akron Municipal Court. The Ninth District Court of Appeals held that the record did not establish a valid court order that Davis knowingly and intentionally violated, including any order requiring GPS monitoring or compliance with applicable laws. The court reversed the judgment and remanded for entry of a judgment of acquittal on the contempt charge.

CASE DETAILS

COURT	Ohio Court of Appeals, Ninth Judicial District
WRITING FOR THE COURT	Jennifer Hensal; Sutton, J.; Stevenson, J.
JURISDICTION	Ohio Court of Appeals, Ninth Judicial District
DECIDED	February 18, 2026
DOCKET	31442
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Nasheemia Davis appealed her conviction for indirect criminal contempt entered by the Akron Municipal Court.
STANDARD OF REVIEW	Sufficiency of the evidence
PRECEDENTIAL VALUE	Published opinion
PARTIES	Nasheemia Davis v. State of Ohio

TOPICS

- criminal procedure
- appellate procedure
- standard of review
- remedies

PRACTICE AREAS

- criminal law
- criminal procedure
- appellate practice

QUESTIONS PRESENTED

- Whether sufficient evidence supported Davis's conviction for indirect criminal contempt.

2. Whether Davis's first assignment of error needed to be addressed after the court sustained her second assignment of error.

HOLDINGS

1. The conviction was not supported by sufficient evidence because the record did not show that Davis was ordered to comply with GPS monitoring in this case or that she violated any laws within one year of sentencing.
2. The first assignment of error was moot and was not addressed because the second assignment of error was dispositive.

KEY QUOTATIONS

“Upon review of the record, we agree that it does not show that Ms. Davis was ordered to comply with GPS monitoring in this case or that she violated any laws within one year of her sentencing.” (¶ 3)

“The judgment of the Akron Municipal Court is reversed, and this matter is remanded for the municipal court to enter a judgment of acquittal on the contempt charge.” (¶ 4)

FACTUAL BACKGROUND

Davis pleaded guilty to resisting arrest and received a sentence that included suspended jail time, a fine, and an order to obey all laws for one year. The municipal court later found her in contempt based on alleged noncompliance with probation and GPS monitoring and ordered her to serve 30 days at a community alternative sentencing center. The appellate record did not establish that Davis had been ordered to comply with GPS monitoring in this case or that she had violated any law during the relevant one-year period.

PROCEDURAL HISTORY

Davis pleaded guilty to resisting arrest in the Akron Municipal Court, which sentenced her to 90 days in jail, suspended most of the sentence, imposed a fine, and ordered her to obey all laws for one year. After the court later found her in contempt for allegedly violating probation and GPS-monitoring requirements, Davis appealed. The Ohio Court of Appeals sustained her sufficiency-of-the-evidence assignment, found her other assignment moot, reversed the judgment, and remanded for entry of an acquittal.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The Akron Municipal Court must enter a judgment of acquittal on the contempt charge.

OPINION

PER CURIAM.

[Cite as State v. Davis, 2026-Ohio-540.] STATE OF OHIO) IN THE COURT OF APPEALS)ss:
NINTH JUDICIAL DISTRICT COUNTY OF SUMMIT) CITY OF AKRON C.A. No. 31442
Appellee v. APPEAL FROM JUDGMENT ENTERED IN THE NASHEEMIA DAVIS AKRON
MUNICIPAL COURT COUNTY OF SUMMIT, OHIO Appellant CASE No. 24 CRB 06233
DECISION AND JOURNAL ENTRY Dated: February 18, 2026 HENSAL, Judge Presiding. {¶1}
Nasheemia Davis appeals a journal entry of the Akron Municipal Court that found her guilty of
contempt of court.

For the following reasons, this Court reverses. I. {¶2} In January 2025, Ms. Davis pleaded guilty
to resisting arrest. The municipal court sentenced her to 90 days in jail but gave her credit for 3
days and suspended the remainder of the days. It also fined her \$100 and ordered her to obey all
laws for one year. A month later, the court issued a complaint, alleging that Ms. Davis had failed to
comply with the terms of her probation and failed to comply with GPS monitoring.

Following a hearing, the court found Ms. Davis in contempt and ordered her to spend 30 days at
the community alternative sentencing center. Ms. Davis has appealed, assigning two errors. This
Court will address her second assignment of error first because it is dispositive. 2 II.
ASSIGNMENT OF ERROR II THE RECORD CONTAINS INSUFFICIENT EVIDENCE TO
SUSTAIN DAVIS’S CONVICTION FOR INDIRECT CRIMINAL CONTEMPT. {¶3} In her
second assignment of error, Ms. Davis argues that her conviction for contempt is not supported by
sufficient evidence.

Specifically, she argues that there is no valid court order in this case that she both knew about and
violated intentionally. The State agrees that the evidence submitted to the municipal court did not
have to do with this case and did not establish that Ms. Davis violated any of the sentencing
conditions imposed by the municipal court in this case. Upon review of the record, we agree that it
does not show that Ms. Davis was ordered to comply with GPS monitoring in this case or that she
violated any laws within one year of her sentencing.

Ms. Davis’s second assignment of error is sustained. Considering this determination, Ms. Davis’s
first assignment of error is moot, and this Court declines to address it for that reason. App.R.
12(A)(1)(c). III. {¶4} Ms. Davis’s second assignment of error is sustained.

The judgment of the Akron Municipal Court is reversed, and this matter is remanded for the
municipal court to enter a judgment of acquittal on the contempt charge. Judgment reversed and
cause remanded. There were reasonable grounds for this appeal. 3 We order that a special mandate
issue out of this Court, directing the Court of Common Pleas, County of Summit, State of Ohio, to
carry this judgment into execution.

A certified copy of this journal entry shall constitute the mandate, pursuant to App.R. 27.
Immediately upon the filing hereof, this document shall constitute the journal entry of judgment,

and it shall be file stamped by the Clerk of the Court of Appeals at which time the period for review shall begin to run. App.R. 22(C).

The Clerk of the Court of Appeals is instructed to mail a notice of entry of this judgment to the parties and to make a notation of the mailing in the docket, pursuant to App.R. 30. Costs taxed to Appellee. JENNIFER HENSAL FOR THE COURT SUTTON, J. STEVENSON, J. CONCUR. APPEARANCES: JOSEPH SHELL, Attorney at Law, for Appellant. DEBORAH S. MATZ, Director of Law, and BRIAN D. BREMER and KIRSTEN L. SMITH, Assistant Directors of Law, for Appellee.