

COURT OF APPEALS OF OHIO, ELEVENTH APPELLATE DISTRICT,
PORTAGE COUNTY

State v. White

2026-Ohio-2253 · No. 2025-P-0052; 2025-P-0053 · Decided June 15, 2026

SUMMARY

The Eleventh District Court of Appeals of Ohio affirmed the Portage County Court of Common Pleas judgments in two consolidated criminal appeals involving Jay A. White. The court rejected challenges to the validity of White’s guilty pleas and community-control violation admission, the imposition of maximum and consecutive sentences, the assessment of costs, and claims of ineffective assistance of counsel.

CASE DETAILS

COURT	Court of Appeals of Ohio, Eleventh Appellate District, Portage County
WRITING FOR THE COURT	Eugene A. Lucci, J.; Robert J. Patton, J.; Scott Lynch, J.
JURISDICTION	Ohio Court of Appeals, Eleventh Appellate District, Portage County
DECIDED	June 15, 2026
DOCKET	2025-P-0052; 2025-P-0053
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed judgments entered after guilty pleas in two criminal cases, an admission to violating community control, and imposition of an aggregate two-and-one-half-year prison sentence. The appellate court granted delayed appeals, consolidated them, and affirmed.
STANDARD OF REVIEW	Community-control revocation is generally reviewed for abuse of discretion, but unobjected-to revocation or sentencing errors are reviewed only for plain error. Felony sentences are reviewed under R.C. 2953.08(G) and may be modified or vacated if the appellate court clearly and convincingly finds that the sentence is contrary to law. Ineffective-assistance claims are evaluated under the deficient-performance and prejudice test.
PRECEDENTIAL VALUE	published
PARTIES	Jay A. White v. State of Ohio

TOPICS

criminal procedure

sentencing

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cruel and unusual punishment

appellate procedure

PRACTICE AREAS

criminal law

criminal procedure

sentencing

constitutional law

appellate procedure

QUESTIONS PRESENTED

1. Whether White's guilty pleas and admission to violating community control were knowing, voluntary, and intelligent despite the trial court's failure to advise him of a right to a bench trial and his asserted belief that he would receive community control.
2. Whether the trial court lawfully imposed maximum prison terms and consecutive sentences without making findings concerning the worst form of the offense or the greatest likelihood of recidivism, and whether the sentence and court costs violated the Eighth Amendment.
3. Whether trial counsel rendered ineffective assistance by failing to object to the pleas, the community-control admission, and the sentence, including failing to ensure that White understood the availability of a bench trial.

HOLDINGS

1. The trial court did not commit plain error in accepting White's admission to violating community control or in accepting his guilty pleas. Ohio Criminal Rule 11(C) does not require a trial court to advise a defendant of a right to a bench trial before accepting a guilty plea, and White's unspoken subjective belief that he would receive community control did not invalidate pleas entered after the court advised him of the potential prison sentence.
2. The trial court was not required to find that White committed the worst form of the offense or posed the greatest likelihood of committing future crimes before imposing maximum sentences within the statutory ranges.
3. The consecutive sentences were lawful because the trial court made the findings required by R.C. 2929.14(C)(4) at the sentencing hearing and incorporated those findings into the sentencing entry.
4. White's aggregate sentence and assessment of court costs did not constitute cruel and unusual punishment. A sentence within the terms of a valid statute generally is not cruel and unusual, and court costs are not punishment for purposes of the Eighth Amendment.
5. White failed to establish ineffective assistance because he did not show deficient performance or a reasonable probability of prejudice.

KEY QUOTATIONS

“there is no requirement for a trial court to advise a defendant of his or her right to a bench trial prior to accepting his or her plea.” (¶ 9)

“Trial courts have full discretion to impose a prison sentence within the statutory range and are no longer required to make findings or give their reasons for imposing maximum . . . sentences.” (¶ 20)

“In order to impose consecutive terms of imprisonment, a trial court is required to make the findings mandated by R.C. 2929.14(C)(4) at the sentencing hearing and incorporate its findings into its sentencing entry, but it has no obligation to state reasons to support its findings.” (¶ 24)

“In order to prevail on an ineffective assistance of counsel claim, an appellant must demonstrate that trial counsel’s performance fell ‘below an objective standard of reasonable representation and, in addition, prejudice arises from counsel’s performance.’” (¶ 36)

FACTUAL BACKGROUND

White pleaded guilty in 2023 to two fifth-degree felony counts of harassment with bodily substances and was placed on community control. While on community control, he committed the conduct underlying his 2025 convictions for two fourth-degree felony assaults on peace officers and violating a protection order. The trial court revoked community control, imposed concurrent terms for each case, ordered the 2023 terms to run consecutively to the 2025 terms, and imposed an aggregate two-and-one-half-year prison sentence, along with court costs.

PROCEDURAL HISTORY

In 2023, White pleaded guilty to two fifth-degree felony counts of harassment with bodily substances and was placed on community control after the court suspended a six-to-twelve-month prison term. In 2025, he pleaded guilty to two fourth-degree felony counts of assault on a peace officer and one first-degree misdemeanor count of violating a protection order. After finding that he violated community control, the trial court imposed concurrent sentences in each case and ordered the sentences in the two cases to run consecutively, for an aggregate term of two and one-half years. White sought delayed appeals, which the court granted and consolidated.

DISPOSITION

affirmed

CASES CITED

- State v. Neubig, 2021-Ohio-4375, ¶ 14 (11th Dist.)
- State v. Rhodes, 2025-Ohio-5368, ¶ 9 (11th Dist.)
- State v. Sallaz, 2004-Ohio-3508, ¶ 40 (11th Dist.)
- State v. Barnes, 2002-Ohio-68, ¶¶ 20-21
- State v. Warfield, 2022-Ohio-1818, ¶¶ 55, 21 (11th Dist.)
- Conneaut v. Pushic, 2025-Ohio-1783, ¶ 25 (11th Dist.)
- State v. Mallard, 2024-Ohio-297, ¶ 65 (11th Dist.)
- State v. Mallory, 2021-Ohio-1542, ¶ 32 (11th Dist.)
- State v. Kittelson, 2016-Ohio-8430, ¶ 30 (11th Dist.)
- State v. Lewis, 2019-Ohio-1994, ¶ 13 (8th Dist.)

- State v. Acosta, 2016-Ohio-5698, ¶ 14 (6th Dist.)
- State v. Vore, 2021-Ohio-185, ¶ 23 (4th Dist.)
- State v. Johnson, 2017-Ohio-2931, ¶ 10 (11th Dist.)
- State v. Lamb, 2023-Ohio-2834, ¶ 9 (11th Dist.)
- State v. Meeks, 2023-Ohio-988, ¶ 11 (11th Dist.)
- State v. Jones, State v. Jones, 2020-Ohio-6729, ¶ 34
- State v. Shannon, 2021-Ohio-789, ¶ 11 (11th Dist.)
- State v. Brown, 2017-Ohio-8416, ¶ 74 (2d Dist.)
- State v. Foster, 2006-Ohio-856
- State v. Bonnell, 2014-Ohio-3177, ¶ 37
- State v. Moore, 2016-Ohio-8288, ¶ 31
- Weems v. United States, 217 U.S. 349, 367 (1910)
- McDougle v. Maxwell, 1 Ohio St.2d 68, 69-70 (1964)
- State v. Yuran, 2024-Ohio-5655, ¶ 16 (11th Dist.)
- State v. Clinton, 2017-Ohio-9423, ¶ 240
- State v. Tackett, 2019-Ohio-1419, ¶ 12 (11th Dist.)
- State v. Braden, 2019-Ohio-4204, ¶ 31
- State v. Andrus, 2020-Ohio-6810, ¶ 60 (11th Dist.)
- State v. Robinson, 2021-Ohio-1064, ¶ 24 (11th Dist.)
- State v. Bradley, 42 Ohio St.3d 136, 142-143 (1989)
- Strickland v. Washington, 466 U.S. 668 (1984)