

COURT OF APPEALS OF OHIO, ELEVENTH APPELLATE DISTRICT

State v. Hartman

2026-Ohio-603 · No. 2025-P-0065 · Decided February 23, 2026

SUMMARY

The Ohio Eleventh District Court of Appeals dismissed Deanne N. Hartman's criminal appeal for lack of a final appealable order. The trial court's sentencing entry imposed a single sentence for multiple offenses without specifying a separate sentence for each offense, and the appellate court held that it lacked jurisdiction to remand the matter.

CASE DETAILS

COURT	Court of Appeals of Ohio, Eleventh Appellate District
WRITING FOR THE COURT	John J. Eklund; Matt Lynch; Robert J. Patton
JURISDICTION	Ohio Court of Appeals, Eleventh Appellate District, Portage County
DECIDED	February 23, 2026
DOCKET	2025-P-0065
DISPOSITION	dismissed
PROCEDURAL POSTURE	Criminal appeal from a sentencing judgment entry following guilty pleas. The State moved to dismiss for lack of jurisdiction because the sentencing entry was not a final appealable order.
STANDARD OF REVIEW	Jurisdictional review de novo; an appellate court must determine whether a final appealable order exists before proceeding.
PRECEDENTIAL VALUE	Published
PARTIES	Deanne N. Hartman v. State of Ohio

TOPICS

- final judgment rule
- appellate jurisdiction
- appellate procedure
- sentencing
- criminal procedure

PRACTICE AREAS

- criminal appellate procedure
- criminal sentencing
- appellate jurisdiction

QUESTIONS PRESENTED

1. Whether the trial court's sentencing entry was a final appealable order when it imposed a single sentence for multiple offenses without specifying a separate sentence for each offense.
2. Whether the appellate court had jurisdiction to remand the case to the trial court to correct the nonfinal sentencing entry.

HOLDINGS

1. When a defendant is convicted of multiple offenses and the sentencing entry imposes only a single sentence without identifying the sentence applicable to each offense, the remaining offenses are left unsentenced and the entry is not a final appealable order.
2. When the lower court's judgment is not final, the appellate court lacks jurisdiction to remand the case and must dismiss the appeal.

KEY QUOTATIONS

“When an appellant is convicted of more than one offense and only a single sentence is imposed, the remaining offenses are left without a sentence, and this court is unable to determine to which offense the given sentence actually applies.” (¶ 3)

“If a lower court’s judgment is not final, then an appellate court lacks jurisdiction to remand the matter, and the appeal must be dismissed.” (¶ 5)

FACTUAL BACKGROUND

Hartman pleaded guilty to endangering children, a fifth-degree felony, and OVI, a first-degree misdemeanor. The trial court's September 5, 2025 sentencing entry imposed 60 days in jail, 24 months of supervised probation, a two-year driver's-license suspension, a \$500 fine, and court costs, but did not specify a separate sentence for each offense.

PROCEDURAL HISTORY

Hartman pleaded guilty in the Portage County Court of Common Pleas to fifth-degree-felony endangering children and first-degree-misdemeanor OVI. The trial court imposed a single sentencing disposition without specifying a separate sentence for each offense. Hartman appealed, conceded that the entry was not final, and requested a remand; the State moved to dismiss. The Eleventh District granted the motion and dismissed the appeal.

DISPOSITION

dismissed

REMAND INSTRUCTIONS

None. The court held that it lacked jurisdiction to remand the case because the judgment was not final.

CASES CITED

- State v. Garner, 2003-Ohio-5222 (11th Dist.)
- State v. Garver, 2024-Ohio-6111 (11th Dist.)
- State v. Sexton, 2024-Ohio-5652 (11th Dist.)

OPINION

PER CURIAM.

[Cite as State v. Hartman, 2026-Ohio-603.] IN THE COURT OF APPEALS OF OHIO
ELEVENTH APPELLATE DISTRICT PORTAGE COUNTY STATE OF OHIO, CASE NO.
2025-P-0065 Plaintiff-Appellee, Criminal Appeal from the - vs - Court of Common Pleas
DEANNE N. HARTMAN, Trial Court No. 2024 CR 00496 Defendant-Appellant.
MEMORANDUM OPINION AND JUDGMENT ENTRY Decided: February 23, 2026 Judgment:
Appeal dismissed Connie J. Lewandowski, Portage County Prosecutor, and Theresa M. Scahill,
Assistant Prosecutor, 241 South Chestnut Street, Ravenna, OH 44266 (For Plaintiff-Appellee).

Karin L. Coble, Law Office of Karin L. Coble, 316 North Michigan Street, Suite 600, Toledo, OH
43604 (For Defendant-Appellant). JOHN J. EKLUND, J. {¶1} Appellant, Deanne N. Hartman,
appeals from a September 5, 2025 judgment entry of the Portage County Court of Common Pleas.

After appellant pled guilty to Endangering Children, a fifth-degree felony, and OVI, a first-degree
misdemeanor, the trial court sentenced her to 60 days in jail, 24 months of supervised probation
with various mandatory terms, 2 years driver's license suspension, and imposed a \$500.00 fine
plus court costs. {¶2} Appellee, the State of Ohio, filed a motion to dismiss the appeal for lack of
jurisdiction because the sentencing entry is not a final appealable order.

Specifically, appellee contends that the appeal should be dismissed because the entry does not
contain a separate sentence for each offense. Appellant filed a response, conceding that the entry is
not a final appealable order and requesting this court to remand the matter to the trial court.
Appellee filed a reply in support of its motion to dismiss indicating that a remand is improper.
{¶3} When an appellant is convicted of more than one offense and only a single sentence is
imposed, the remaining offenses are left without a sentence, and this court is unable to determine
to which offense the given sentence actually applies.

State v. Garner, 2003-Ohio-5222, ¶ 10 (11th Dist.). See also State v. Garver, 2024-Ohio-6111 ¶ 8
(11th Dist.). As a result, there is no final appealable order. Id. {¶4} Here, the September 5, 2025
entry does not specify a separate sentence for each offense.

Therefore, the entry is not a final appealable order. {¶5} If a lower court's judgment is not final,
then an appellate court lacks jurisdiction to remand the matter, and the appeal must be dismissed.
State v. Sexton, 2024-Ohio-5652, ¶ 4 (11th Dist.). {¶6} Accordingly, because there is no final

appealable order, this court does not have jurisdiction to proceed, and this case is hereby dismissed.

MATT LYNCH, P.J., ROBERT J. PATTON, J., concur. PAGE 2 OF 3 Case No. 2025-P-0065
JUDGMENT ENTRY For the reasons stated in the memorandum opinion of this court, it is ordered that appellee's motion to dismiss is granted, and this appeal is hereby dismissed for lack of a final appealable order. It is further ordered that the stay issued by this court on September 24, 2025 is hereby dissolved.

All other pending motions are hereby overruled as moot. Costs shall be taxed against appellant. JUDGE JOHN J. EKLUND PRESIDING JUDGE MATT LYNCH, concurs JUDGE ROBERT J. PATTON, concurs THIS DOCUMENT CONSTITUTES A FINAL JUDGMENT ENTRY A certified copy of this opinion and judgment entry shall constitute the mandate pursuant to Rule 27 of the Ohio Rules of Appellate Procedure.

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