

COURT OF APPEALS OF OHIO, EIGHTH APPELLATE DISTRICT,
CUYAHOGA COUNTY

State v. Terrell

2026-Ohio-652 · No. 114674, 114903, 115693 · Decided February 26, 2026

SUMMARY

The Ohio Eighth District Court of Appeals reviewed the imposition of \$40,000 in fines on Charles Terrell following his convictions for aggravated robbery and related offenses. The court held that the trial court failed to adequately consider Terrell’s present and future ability to pay, particularly in light of the outdated financial information and lengthy prison sentence, and vacated the fines.

CASE DETAILS

COURT	Court of Appeals of Ohio, Eighth Appellate District, Cuyahoga County
WRITING FOR THE COURT	Emanuella D. Groves; Michelle J. Sheehan; Sean C. Gallagher
JURISDICTION	Ohio Court of Appeals, Eighth Appellate District, Cuyahoga County
DECIDED	February 26, 2026
DOCKET	114674, 114903, 115693
DISPOSITION	vacated
PROCEDURAL POSTURE	Defendant appealed the imposition of \$40,000 in fines following guilty pleas and sentencing in the Cuyahoga County Court of Common Pleas.
STANDARD OF REVIEW	Imposition of financial sanctions is reviewed for abuse of discretion. A trial court abuses its discretion when its decision is unreasonable, arbitrary, or unconscionable.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Charles Terrell v. State of Ohio

TOPICS

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

PRACTICE AREAS

- criminal law
- sentencing
- financial sanctions

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by imposing \$40,000 in fines without considering Terrell's present ability to pay at the time of sentencing.
2. Whether Terrell's potential future earnings, including prison income and employment after release, established a future ability to pay the fines.

HOLDINGS

1. The trial court abused its discretion by imposing the fines because it relied on a year-old presentence-investigation report and did not consider Terrell's financial condition at the time of sentencing.
2. The possibility that Terrell could earn money in prison or after release was insufficient to establish a future ability to pay, particularly in light of his lengthy prison term and felony convictions.

KEY QUOTATIONS

"A court must . . . determine a defendant's ability to pay considering his financial condition at the time of sentencing." (§ 12)

"Furthermore, the probability that Terrell could pay the fine in the future was an insufficient basis to establish a future ability to pay, especially given the length of the prison term and Terrell's specific convictions." (§ 21)

FACTUAL BACKGROUND

Terrell pleaded guilty to multiple aggravated robberies, firearm specifications, having weapons while under disability, and tampering with evidence after allegedly committing ten convenience-store robberies and kidnapping fourteen victims while displaying a firearm. He had been incarcerated for approximately a year before sentencing under a \$100,000 bond and had not worked during that period. The trial court relied primarily on a year-old presentence-investigation report stating that Terrell had two jobs and was financially comfortable, and imposed \$40,000 in fines despite an aggregate prison term of 18 to 19½ years.

PROCEDURAL HISTORY

A grand jury indicted Terrell on 32 counts arising from multiple aggravated robberies, kidnappings, weapons offenses, tampering with evidence, and obstructing official business. Pursuant to a plea agreement, Terrell pleaded guilty to ten aggravated-robbery counts, two firearm specifications, having weapons while under disability, and tampering with evidence; the remaining charges were dismissed. The trial court imposed an aggregate prison sentence of 18 to 19½ years and two \$20,000 fines. Terrell appealed the fines, and the Eighth District vacated them.

DISPOSITION

vacated

REMAND INSTRUCTIONS

A special mandate shall issue directing the common pleas court to carry the judgment into execution. The fines are vacated; the opinion does not direct resentencing or impose any further specific remedy.

CASES CITED

- State v. Kyle, 2021-Ohio-3346, ¶ 7 (8th Dist.)
- State v. Sekic, 2011-Ohio-3978, ¶ 30 (8th Dist.)
- State v. Percy, 2021-Ohio-1876, ¶ 17 (8th Dist.)
- State v. Hill, 2022-Ohio-4544, ¶ 9
- State v. Beasley, 2018-Ohio-16, ¶ 12
- Blakemore v. Blakemore, 5 Ohio St. 3d 217, 219 (1983)
- State v. Mosby, 2024-Ohio-5210, ¶ 64 (8th Dist.)
- State v. Cotto, 2019-Ohio-985, ¶ 12 (8th Dist.)
- State v. Petticrew, 2023-Ohio-159, ¶ 19 (2d Dist.)
- State v. Parker, 2004-Ohio-1313, ¶ 42 (2d Dist.)
- State v. Schneider, 2012-Ohio-1740, ¶ 10 (8th Dist.)
- State v. Jacobs, 2010-Ohio-4010, ¶ 11 (8th Dist.)
- State v. Cosme, 2008-Ohio-2811, ¶ 34
- State v. Simpson, 2014-Ohio-4580, ¶ 21 (8th Dist.)
- State v. Smith, 2018-Ohio-4421, ¶ 9 (8th Dist.)
- State v. Emrich, 1995 Ohio App. LEXIS 897, *7 (Mar. 10, 1995)
- State v. Zsigray, 2021-Ohio-1401, ¶ 19 (8th Dist.)
- State v. Clemons, 2015-Ohio-520, ¶ 11 (8th Dist.)
- State v. Williams, 2009-Ohio-5964, ¶ 9 (8th Dist.)
- State v. Davis, 2014-Ohio-2052, ¶ 10 (8th Dist.)