

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

State v. Appenzeller

2026-Ohio-783 (11th Dist.) · No. 2025-L-084 · Decided March 9, 2026

SUMMARY

The Eleventh District Court of Appeals affirmed the denial of Russell E. Appenzeller’s request to vacate his convictions for lack of personal jurisdiction. The court held that alleged omissions in docket form fields did not deprive the trial court of jurisdiction, and that the challenge was also untimely and barred by res judicata.

CASE DETAILS

COURT	Court of Appeals of Ohio, Eleventh Appellate District, Lake County
WRITING FOR THE COURT	Eugene A. Lucci; Matt Lynch; Robert J. Patton
JURISDICTION	Ohio Court of Appeals, Eleventh Appellate District, Lake County
DECIDED	March 9, 2026
DOCKET	2025-L-084
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appenzeller appealed the Lake County Court of Common Pleas judgment denying his request to vacate his criminal convictions as void for lack of personal jurisdiction.
STANDARD OF REVIEW	De novo review applies to personal-jurisdiction questions and to whether the common pleas court has subject-matter jurisdiction to entertain an untimely or successive petition for postconviction relief.
PRECEDENTIAL VALUE	published and precedential
PARTIES	Russell E. Appenzeller v. State of Ohio

TOPICS

- post-conviction relief
- state post-conviction relief
- successive petitions
- appellate procedure
- criminal procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the alleged failure of clerk-of-court docket forms to identify the State of Ohio as a party deprived the trial court of personal jurisdiction and rendered Appenzeller's convictions void.
2. Whether Appenzeller's letter should be construed as a petition for postconviction relief and, if so, whether the petition was barred as untimely or successive under R.C. 2953.21 and R.C. 2953.23.
3. Whether res judicata barred Appenzeller's challenge because he could have raised, and previously raised, the same argument.

HOLDINGS

1. The clerk's completion of docket-form fields did not affect the trial court's personal jurisdiction over Appenzeller, and Appenzeller therefore failed to establish that his convictions were void.
2. If construed as a petition for postconviction relief, Appenzeller's filing was untimely and successive, and he failed to satisfy either statutory exception permitting consideration of such a petition.
3. Res judicata barred Appenzeller's challenge because he could have raised the argument earlier and had previously raised the same issue in a postconviction petition; the void-judgment exception did not apply because the alleged defect did not implicate the trial court's jurisdiction.

KEY QUOTATIONS

“Personal jurisdiction refers to the court's power to render a valid judgment against a particular individual. In a criminal matter, the court acquires jurisdiction over a person by lawfully issued process, followed by the arrest and arraignment of the accused and his plea to the charge.” (¶ 10)

“ “[A] petitioner’s failure to satisfy R.C. 2953.23(A) deprives a trial court of jurisdiction to adjudicate the merits of an untimely or successive postconviction petition.” ” (¶ 14)

FACTUAL BACKGROUND

Appenzeller was convicted of multiple offenses in 2006 and later resentenced after a partial reversal on direct appeal. Nearly twenty years later, he argued that his convictions were void because clerk-of-court docket forms did not list the State of Ohio as a party. He had previously raised the same issue in a 2014 postconviction petition, which was dismissed as successive and noncompliant with the statutory requirements for late or successive petitions.

PROCEDURAL HISTORY

Appenzeller was convicted in 2006. The court of appeals reversed part of the original judgment and remanded for resentencing, then affirmed the resentencing entry. After numerous unsuccessful petitions and requests, Appenzeller submitted a 2025 letter construed as a motion to vacate his convictions based on the alleged absence of the State of Ohio as a party on certain clerk docket forms. The trial court denied the request as barred by res judicata, and the court of appeals affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Appenzeller, 2008-Ohio-7005, ¶ 124 (11th Dist.)
- State v. Appenzeller, 2009-Ohio-6384, ¶ 21 (11th Dist.)
- State v. Appenzeller, 2008-Ohio-6982, ¶¶ 5, 52 (11th Dist.)
- State v. Mitchell, 2020-Ohio-3417, ¶ 35 (11th Dist.)
- State v. Henderson, 2020-Ohio-4784, ¶¶ 19, 27, 36
- Jones v. Jones, 2023-Ohio-989, ¶ 11 (11th Dist.)
- Kauffman Racing Equip., L.L.C. v. Roberts, 2010-Ohio-2551, ¶ 27
- State v. Schlee, 2008-Ohio-545, ¶ 12
- State v. Apanovitch, 2018-Ohio-4744, ¶¶ 24, 36
- State v. Kane, 2017-Ohio-7838, ¶ 9 (10th Dist.)
- State v. Harvey, 2025-Ohio-5475, ¶ 10 (11th Dist.)
- State v. Miller, 2025-Ohio-4639, ¶ 13 (11th Dist.)