

COURT OF APPEALS OF OHIO, SIXTH APPELLATE DISTRICT, LUCAS COUNTY

Toledo v. Gaines

2026-Ohio-1929 · No. L-25-00165 · Decided May 26, 2026

SUMMARY

The Sixth District Court of Appeals of Ohio affirmed Magic Gaines’s convictions in Toledo Municipal Court for disrupting school activity and criminal trespass. The court held that Crim.R. 32(B) did not apply because the offenses were not serious offenses, and the trial court adequately advised Gaines of her appellate rights after sentencing. The court also held that the convictions were not against the manifest weight of the evidence.

CASE DETAILS

COURT	Court of Appeals of Ohio, Sixth Appellate District, Lucas County
WRITING FOR THE COURT	Gene A. Zmuda; Myron C. Duhart; Charles E. Sulek
JURISDICTION	Court of Appeals of Ohio, Sixth Appellate District, Lucas County
DECIDED	May 26, 2026
DOCKET	L-25-00165
DISPOSITION	affirmed
PROCEDURAL POSTURE	Gaines appealed her convictions in the Toledo Municipal Court for disrupting school activity and criminal trespass, challenging the court's failure to advise her of appellate rights before completion of an anger-management program and arguing that the convictions were against the manifest weight of the evidence.
STANDARD OF REVIEW	For a manifest-weight challenge, the appellate court reviews the entire record, weighs the evidence and reasonable inferences, considers witness credibility, and determines whether the factfinder clearly lost its way and created a manifest miscarriage of justice. Reversal is reserved for the exceptional case in which the evidence weighs heavily against the conviction.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Magic EH Gaines v. City of Toledo

TOPICS

criminal procedure

appellate procedure

standard of review

sentencing

evidence

PRACTICE AREAS

criminal law

criminal procedure

appellate practice

QUESTIONS PRESENTED

1. Whether Crim.R. 32(B) required the trial court to advise Gaines of her appellate rights before she completed an anger-management program.
2. Whether Gaines's convictions for disrupting school activity and criminal trespass were against the manifest weight of the evidence.

HOLDINGS

1. Crim.R. 32(B)(1), which requires advice concerning the right to appeal after sentencing for a serious offense that went to trial, did not apply because Gaines was convicted only of misdemeanors carrying maximum confinement periods of 180 days and 30 days, not more than six months.
2. The anger-management program was not part of Gaines's sentence because the trial court did not order her to complete it; the court merely indicated that completion could improve her sentencing position. The court therefore did not err in advising her of her appellate rights after imposing the actual sentence of court costs.
3. Gaines's convictions were not against the manifest weight of the evidence because the trial court reasonably credited the City's witnesses' testimony that she disrupted school activity and knowingly remained on restricted premises after being told to leave.

KEY QUOTATIONS

"Gaines, therefore, has not been convicted of a serious offense, and Crim.R. 32(B) is not applicable." (§ 17)

"Thus, while the trial court incentivized Gaines to complete the program, it did not order her to do so." (§ 19)

"Weighing the evidence and considering the credibility of the witnesses, the trial court did not clearly lose its way and create a manifest miscarriage of justice when it believed Phelps and Eaton's version of the events." (§ 26)

FACTUAL BACKGROUND

Gaines went to Skyway Academy after school personnel disciplined her son for possessing a cell phone. The City's witnesses testified that Gaines yelled profanities, struck a glass window, disrupted classroom activity, and remained on the premises after being told to leave until she learned police had been called. Gaines denied yelling or banging on the window and claimed she left after speaking with the principal. The trial court credited the City's witnesses and convicted her of disrupting school activity and criminal trespass.

PROCEDURAL HISTORY

Gaines was charged by complaint, pleaded not guilty, and received a bench trial in the Toledo Municipal Court. The trial court found her guilty of both offenses, initially indicated that completion of an anger-management program could improve her sentencing position, and later sentenced her only to pay court costs after she completed the program. The Sixth District affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Hudson, 2025-Ohio-5185, ¶ 10 (12th Dist.)
- State v. Stroughter, 2019-Ohio-935, ¶ 23 (7th Dist.)
- State v. Bixby, 2017-Ohio-7927, ¶ 5 (2d Dist.)
- State v. Lang, 2011-Ohio-4215, ¶ 220
- State v. Thompson, 78 Ohio St.3d 380, 387 (1997)

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