

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

State v. Watson

2026-Ohio-831 · No. Nos. 115151 and 115502 · Decided March 12, 2026

SUMMARY

The Ohio Eighth District Court of Appeals reviewed Brandon Watson's sentences arising from three related criminal cases. The court held that the trial court improperly imposed a domestic-violence sentence in the journal entry without imposing it at the sentencing hearing, improperly ordered misdemeanor and felony sentences consecutively, and failed to make the required consecutive-sentencing findings under R.C. 2929.14(C)(4). The judgment was reversed in part, the sentences were vacated in part, and the matters were remanded for resentencing.

CASE DETAILS

COURT	Court of Appeals of Ohio, Eighth Appellate District, County of Cuyahoga
WRITING FOR THE COURT	Lisa B. Forbes, Presiding Judge; Emmanuella D. Groves, Judge; Eileen A. Gallagher, Judge
JURISDICTION	Ohio Court of Appeals, Eighth Appellate District, Cuyahoga County
DECIDED	March 12, 2026
DOCKET	Nos. 115151 and 115502
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Watson appealed his sentences following guilty pleas in three related criminal cases. The court of appeals sustained three assignments of error, overruled two as moot, reversed the judgment in part, vacated the sentences in part, and remanded for resentencing and correction of consecutive-sentence issues.
STANDARD OF REVIEW	Under R.C. 2953.08(G)(2), the appellate court may increase, reduce, or otherwise modify a sentence, or vacate and remand for resentencing, when it clearly and convincingly finds that the sentence is contrary to law.
PRECEDENTIAL VALUE	Published
PARTIES	Brandon Watson v. State of Ohio

TOPICS

sentencing criminal procedure appellate procedure standard of review

PRACTICE AREAS

criminal law criminal procedure sentencing appellate practice

QUESTIONS PRESENTED

1. Whether the trial court could impose a sentence in the journal entry for a misdemeanor offense when it had not imposed any sentence for that offense at the sentencing hearing.
2. Whether the trial court could order misdemeanor sentences to run consecutively to felony sentences under R.C. 2929.41(A).
3. Whether the trial court made the findings required by R.C. 2929.14(C)(4), including the courses-of-conduct finding, at the sentencing hearing and in the sentencing entries.
4. Whether the record clearly and convincingly supported the trial court's consecutive-sentence findings concerning courses of conduct, great or unusual harm, and criminal history.

HOLDINGS

1. A trial court may not impose in a sentencing entry a sentence for an offense that it did not impose at the sentencing hearing. Because the trial court did not impose any sentence for Watson's domestic-violence conviction in the April Robbery Case during the hearing but later imposed a 180-day term in the journal entry, that sentence was contrary to law and required vacation and resentencing.
2. Under R.C. 2929.41(A), a jail term or misdemeanor sentence must be served concurrently with a felony prison term unless a statutory exception applies. The trial court therefore erred by stating that all of Watson's counts, including misdemeanor domestic-violence counts, would run consecutively to felony sentences.
3. Before imposing consecutive prison terms, the trial court must make the findings required by R.C. 2929.14(C)(4) at the sentencing hearing and incorporate those findings into its sentencing entry. The trial court's statement concerning the seriousness of the harm did not make the required finding that at least two offenses were committed as part of one or more courses of conduct, and the entries could not cure the deficient oral findings.
4. The challenges to whether the record supported the trial court's courses-of-conduct, great-or-unusual-harm, and criminal-history findings were moot because the court had already determined that the consecutive sentences were contrary to law for failure to make the required findings.

KEY QUOTATIONS

"A trial court cannot impose a sentence in the sentencing entry that differs from what it imposed at the sentencing hearing."

"a jail term or sentence of imprisonment for misdemeanor shall be served concurrently with a prison term or sentence of imprisonment for a felony."

“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”

FACTUAL BACKGROUND

Watson pleaded guilty in three related cases to offenses including having weapons while under disability, discharge of a firearm, attempted robbery, robbery, and two domestic-violence offenses. At sentencing, the trial court announced an 18-month term in the April Robbery Case without specifying that it was imposing a sentence for the domestic-violence count, but the later journal entry imposed an additional 180-day term for that count. The court also stated that all counts would run consecutively and did not make the required complete courses-of-conduct finding during the sentencing hearing.

PROCEDURAL HISTORY

Watson was indicted in three Cuyahoga County Common Pleas Court cases and pleaded guilty to specified felony and misdemeanor offenses on October 30, 2024. At the November 20, 2024 sentencing hearing, the trial court imposed prison and jail terms and stated that all counts would run consecutively; the subsequent journal entries included a sentence for a domestic-violence count that had not been orally imposed and included consecutive-sentence findings not fully made at the hearing. Watson appealed, and the Eighth District reviewed the sentencing issues.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The April Robbery Case is remanded for resentencing consistent with the opinion. The July Robbery Case is remanded for the limited purpose of addressing the consecutive-sentence requirements of R.C. 2929.41 and R.C. 2929.14(C)(4), as appropriate. The Weapons Case is remanded for the limited purpose of addressing the consecutive-sentence requirements of R.C. 2929.14(C)(4), as appropriate. All other aspects of the sentences not addressed in the opinion remain intact.

CASES CITED

- State v. Sandidge, 2020-Ohio-1629, ¶ 6 (8th Dist.)
- State v. Vaughn, 2016-Ohio-3320, ¶ 18 (8th Dist.)
- State v. Goines, 2017-Ohio-8172, ¶¶ 44-46 (8th Dist.)
- State v. Stroud, 2024-Ohio-933 (1st Dist.)
- State v. Patrick, 2013-Ohio-3821, ¶ 11 (4th Dist.)
- State v. Vanscoy, 2014-Ohio-3482, ¶ 23 (9th Dist.)
- State v. Studgions, 2016-Ohio-4701, ¶¶ 2-3 (8th Dist.)
- State v. Polus, 2016-Ohio-655
- State v. Jones, 2024-Ohio-1083, ¶ 11

- State v. Bonnell, 2014-Ohio-3177, ¶ 37
- State v. McKinney, 2019-Ohio-1118, ¶ 60 (8th Dist.)
- State v. Percy, 2021-Ohio-1876, ¶ 14 (8th Dist.)

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