

OHIO COURT OF APPEALS, ELEVENTH APPELLATE DISTRICT

State v. Horn

2026-Ohio-1920 · No. 2025-P-0079 · Decided May 26, 2026

SUMMARY

The Eleventh District Court of Appeals of Ohio affirmed Michael Paul Horn's convictions for operating a vehicle under the influence and failing to stop after an accident. The court held that the convictions were not against the manifest weight of the evidence and that the trial court properly admitted dash- and body-camera videos containing profane and offensive language because they were relevant and not unfairly prejudicial.

CASE DETAILS

COURT	Ohio Court of Appeals, Eleventh Appellate District
WRITING FOR THE COURT	Matt Lynch, P.J.; Eugene A. Lucci, J.; Scott Lynch, J.
JURISDICTION	Ohio Court of Appeals, Eleventh Appellate District, Portage County
DECIDED	May 26, 2026
DOCKET	2025-P-0079
DISPOSITION	affirmed
PROCEDURAL POSTURE	Criminal appeal from convictions and sentence entered by the Portage County Municipal Court, Ravenna Division. Horn challenged the manifest weight of the evidence and the denial of his motion in limine seeking exclusion of dash- and body-camera video.
STANDARD OF REVIEW	A manifest-weight challenge requires the appellate court to review the entire record, weigh the evidence and reasonable inferences, consider witness credibility, and determine 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. The admission or exclusion of evidence is reviewed for abuse of discretion, although a purely legal question concerning admissibility is reviewed de novo.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Michael Paul Horn v. State of Ohio, City of Ravenna

TOPICS

evidence

relevance

standard of review

appellate procedure

criminal procedure

PRACTICE AREAS

criminal law

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QUESTIONS PRESENTED

1. Whether Horn's convictions were against the manifest weight of the evidence because the evidence allegedly failed to persuasively establish that he was operating the van.
2. Whether the trial court abused its discretion by denying Horn's motion in limine to exclude dash- and body-camera video containing profanity and offensive language.

HOLDINGS

1. The convictions were not against the manifest weight of the evidence because the State presented evidence from which the jury could reasonably conclude that Horn was operating the van, and the jury did not clearly lose its way in resolving the conflicting testimony.
2. The trial court did not abuse its discretion by admitting the dash- and body-camera video because the footage was relevant to whether Horn was impaired and, although prejudicial in the ordinary sense, was not unfairly prejudicial under Evid.R. 403(A).

KEY QUOTATIONS

“The discretionary power to grant a new trial should be exercised only in the exceptional case in which the evidence weighs heavily against the conviction.” (§ 21)

“There is a difference between being unfavorable to the defendant and being prejudicial.” (§ 31)

FACTUAL BACKGROUND

A witness observed a van leave the roadway and stop on a grassy embankment, then saw Horn exit alone, stumble down the hill, and walk erratically along the highway. Troopers found Horn nearby exhibiting stumbling, slow and slurred speech, and bloodshot and glassy eyes; they found the van keys in his pocket and observed him make statements indicating he had been driving the van. Horn refused a breathalyzer test, and the defense presented testimony that he had earlier hired someone to drive, although the defense witnesses could not establish who was driving at the time of the accident. The trial court admitted edited dash- and body-camera footage that included Horn's profanity and offensive language because it was relevant to impairment.

PROCEDURAL HISTORY

Horn was charged in municipal court with OVI, refusal to submit to a chemical test, driving under suspension, failure to stop after an accident, and failure to control. Following a jury trial, he was convicted of the two OVI counts and failure to stop after an accident; the OVI counts were merged for sentencing, and the court imposed 180 days in jail with 135 days suspended on the merged OVI count and six days on the failure-to-stop count. The court dismissed or the State dismissed the remaining counts, and Horn timely appealed.

DISPOSITION

affirmed

CASES CITED

- State v. Wilson, 2007-Ohio-2202, ¶ 25
- State v. Thompson, 78 Ohio St.3d 380, 387 (1997)
- State v. Martin, 20 Ohio App.3d 172, 175 (1st Dist. 1983)
- Tibbs v. Florida, 457 U.S. 31, 42 (1982)
- State v. Cameron, 2025-Ohio-3192, ¶ 12 (11th Dist.)
- State v. Morgan, 2023-Ohio-3317, ¶¶ 17-18 (1st Dist.)
- State v. Ferrell, 2020-Ohio-6879, ¶ 59 (10th Dist.)
- State v. Awan, 22 Ohio St.3d 120, 123 (1986)
- State v. Dach, 2006-Ohio-3428, ¶ 42 (11th Dist.)
- State v. Fetty, 2012-Ohio-6127, ¶ 58 (11th Dist.)
- Ambrose v. USAA Gen. Indemn. Co., 2022-Ohio-2629, ¶ 123 (11th Dist.)
- Columbus v. Taylor, 39 Ohio St.3d 162, 164 (1988)
- State v. Beechler, 2010-Ohio-1900, ¶ 62 (2d Dist.)
- State v. McKelton, 2016-Ohio-5735, ¶ 144
- State v. Crotts, 2004-Ohio-6550, ¶¶ 23-24
- Oberlin v. Akron Gen. Med. Ctr., 91 Ohio St.3d 169, 172 (2001)
- State v. Geasley, 85 Ohio App.3d 360, 373 (9th Dist. 1993)
- State v. Cole, 1995 WL 551110, *3 (3d Dist. Sept. 13, 1995)
- State v. Baskt, 30 Ohio App.3d 141, 144 (1st Dist. Feb. 19, 1986)

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