

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

State v. Donaldson

2026-Ohio-477 · No. L-24-1246 · Decided February 13, 2026

SUMMARY

The Ohio Sixth District Court of Appeals affirmed Christopher Donaldson’s conviction for third-degree felony child endangering under R.C. 2919.22(A). The court held that Donaldson waived his untimely indictment challenge and failed to demonstrate prejudice from the late disclosure of a supplemental expert report, and it concluded that the conviction was supported by sufficient evidence and was 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	Thomas J. Osowik, P.J.; Christine E. Mayle, J.; Myron C. Duhart, J.
JURISDICTION	Ohio Court of Appeals, Sixth Appellate District, Lucas County
DECIDED	February 13, 2026
DOCKET	L-24-1246
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from a Lucas County Court of Common Pleas judgment entered after a jury convicted him of third-degree-felony child endangering and the court sentenced him to twelve months' incarceration.
STANDARD OF REVIEW	For sufficiency, the court viewed the evidence in the light most favorable to the prosecution and considered whether any rational trier of fact could have found the essential elements proven beyond a reasonable doubt; sufficiency is a question of law. For manifest weight, the court considered whether the greater amount of credible evidence supported the conviction, while deferring to credibility determinations. The denial of the discovery-related motion was reviewed under the applicable abuse-of-discretion and prejudice analysis.
PRECEDENTIAL VALUE	Published and precedential Ohio Court of Appeals opinion

TOPICS

criminal procedure

discovery criminal

expert testimony

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the trial court erred by denying as untimely Donaldson's Crim.R. 12 motion to dismiss based on alleged defects in the indictment.
2. Whether the trial court erred by permitting the State's expert to testify regarding a supplemental report disclosed approximately four days before trial in violation of Crim.R. 16(K).
3. Whether the conviction for endangering children was supported by sufficient evidence.
4. Whether the conviction was against the manifest weight of the evidence.

HOLDINGS

1. The trial court properly denied Donaldson's motion to dismiss as untimely because he did not timely challenge the indictment, did not seek leave to file the untimely motion, and failed to identify a substantive defect in the indictment; the claim was waived under Crim.R. 12(H).
2. The trial court did not commit reversible error by permitting the expert to testify regarding the supplemental report because Donaldson rejected a continuance offered to cure the Crim.R. 16(K) violation and failed to establish prejudice.
3. The evidence was sufficient to support Donaldson's conviction because a rational trier of fact could find beyond a reasonable doubt that he recklessly created a substantial risk to his infant son's health or safety by violating a duty of care, causing serious physical harm.
4. The conviction was not against the manifest weight of the evidence because the greater amount of credible evidence supported the jury's determination that Donaldson's forceful handling caused the infant's serious injury.

KEY QUOTATIONS

“An expert witness for either side shall prepare a written report summarizing the expert witness’s testimony, findings, analysis, conclusions, or opinion and shall include a written summary of the expert’s qualifications. The written report and summary of qualifications shall be subject to disclosure under this rule no later than 21 days prior to trial, which may be modified by the court for good cause shown, which does not prejudice any other party. Failure to disclose the written report to opposing counsel shall preclude the expert’s testimony at trial.” (§ 28)

“In reviewing a challenge to the sufficiency of the evidence, an appellate court views the evidence in the light most favorable to the prosecution and determines whether any rational trier of fact could have found the essential elements of the crime proven beyond a reasonable doubt.” (¶ 39)

FACTUAL BACKGROUND

Donaldson was the sole caregiver for his four-month-old son, C.D., on October 17, 2023. After C.D. became fussy, Donaldson picked him up by the hands, heard a pop or crack, and recognized that the child was injured. Medical personnel found a fracture of C.D.'s distal right humerus near the elbow, ruled out nursemaid's elbow, and concluded that the injury was nonaccidental. An expert testified that the injury could not have resulted from the handling demonstrated by Donaldson and was consistent with forceful, nonaccidental trauma.

PROCEDURAL HISTORY

Donaldson was indicted on October 26, 2023, pleaded not guilty, and proceeded to a jury trial. The trial court denied his untimely motion to dismiss and denied his motion in limine seeking exclusion of a supplemental expert report and related testimony. The jury found him guilty, and the trial court sentenced him on September 27, 2024. The Sixth District affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Mathis, 2022-Ohio-2291, ¶ 15 (6th Dist.)
- State v. Harrison, 2020-Ohio-3817, ¶ 25 (2d Dist.)
- State v. Johnson, 2018-Ohio-1389, 110 N.E.3d 800, ¶ 30 (8th Dist.)
- State v. Costilla, 2024-Ohio-3221, ¶¶ 44-45 (6th Dist.)
- State v. Manning, ¶¶ 12, 41-42
- State v. Myers, 154 Ohio St.3d 405, 2018-Ohio-1903, 114 N.E.3d 1138, ¶¶ 132, 140-141
- State v. Messenger, 171 Ohio St.3d 227, 2022-Ohio-4562, 216 N.E.3d 653, ¶ 26
- State v. Cavin, 2025-Ohio-1578, ¶ 14 (6th Dist.)
- State v. Smith, 80 Ohio St.3d 89, 113 (1997)
- State v. Thompkins, 78 Ohio St.3d 380, 386 (1997)