

OHIO COURT OF APPEALS, SIXTH APPELLATE DISTRICT

State v. Beardsley

2026-Ohio-1083 · No. WD-25-038 · Decided March 27, 2026

SUMMARY

The Sixth District Court of Appeals of Ohio affirmed Devin A. Beardsley’s convictions for sexual imposition, unlawful sexual conduct with a minor, pandering obscenity involving a minor, and possessing criminal tools. The court rejected his manifest-weight-of-the-evidence challenge and concluded that the trial court did not commit plain error by imposing separate sentences for the two sexual-imposition counts.

CASE DETAILS

COURT	Ohio Court of Appeals, Sixth Appellate District
WRITING FOR THE COURT	Myron C. Duhart; Thomas J. Osowik, P.J.; Gene A. Zmuda, J.; Myron C. Duhart, J.
JURISDICTION	Ohio Court of Appeals, Sixth Appellate District, Wood County
DECIDED	March 27, 2026
DOCKET	WD-25-038
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from a judgment of conviction and sentencing following a jury trial in the Wood County Court of Common Pleas.
STANDARD OF REVIEW	Under the manifest-weight standard, the appellate court reviews the 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. The court gives special deference to the factfinder's credibility determinations and reverses only in the exceptional case in which the evidence weighs heavily against the conviction. The sentencing claim was reviewed for plain error under Crim.R. 52(B).
PRECEDENTIAL VALUE	Published Ohio Court of Appeals decision
PARTIES	Devin A. Beardsley v. State of Ohio

TOPICS

criminal procedure

standard of review

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether Beardsley's convictions were against the manifest weight of the evidence.
2. Whether the trial court committed plain error by separately sentencing Beardsley on Counts 1 and 2 after the parties agreed that the counts should merge for sentencing.

HOLDINGS

1. The convictions were not against the manifest weight of the evidence because the jury did not clearly lose its way in crediting the victim's testimony and the State presented substantial corroborating evidence.
2. The trial court did not commit plain error by separately sentencing Beardsley on Counts 1 and 2 because the record did not contain a trial-court finding that the offenses merged, and the two counts alleged conduct occurring in different months.

KEY QUOTATIONS

"In determining whether appellant's conviction was against the manifest weight of the evidence, we must review the record, weigh the evidence and all reasonable inferences, consider the credibility of the witnesses and decide whether in resolving any conflicts in the evidence, the trier of fact 'clearly lost its way and created such a manifest miscarriage of justice that the conviction must be reversed and a new trial ordered.'" (¶ 40)

"Although we consider the credibility of witnesses under a manifest-weight standard, we must, nonetheless, extend special deference to the fact-finder's credibility determinations, given that it is the finder of fact that has the benefit of seeing the witnesses testify, observing their facial expressions and body language, hearing their voice inflections, and discerning qualities such as hesitancy, equivocation, and candor." (¶ 40)

"As we find no error, let alone plain error, in the trial court's having separately sentenced on Counts 1 and 2, we dismiss appellant's argument without additional consideration." (¶ 50)

FACTUAL BACKGROUND

The victim testified that Beardsley sexually abused her beginning when she was approximately 14 years old, including inappropriate touching, genital touching, oral sex, and digital penetration before her sixteenth birthday. She also testified that she sent nude photographs to Beardsley, who allegedly provided gifts and vaping-related items and communicated with her secretly. Investigators found nude images of the victim and other child sexual-abuse material on digital devices associated with Beardsley, along with communications between Beardsley and his wife referring to sexual conduct involving the victim. Beardsley denied sexual contact and knowledge of the images, while his daughter claimed responsibility for placing the images on an external drive.

PROCEDURAL HISTORY

Beardsley was indicted on 22 counts, tried by jury, convicted on all counts, sentenced to an aggregate definite minimum prison term of 29 years and an indefinite maximum term of 32 years, and classified as a Tier II sexual offender. He timely appealed, arguing that the convictions were against the manifest weight of the evidence and, in his reply brief, that two sexual-imposition counts should have merged for sentencing. The Sixth District affirmed the judgment.

DISPOSITION

affirmed

CASES CITED

- State v. Prescott, 2010-Ohio-6048, ¶ 48 (6th Dist.)
- State v. Thompkins, 78 Ohio St.3d 380, 387 (1997)
- State v. Lewis, 2022-Ohio-4421, ¶ 22 (6th Dist.)
- State v. Robinson, 2012-Ohio-6068, ¶ 15 (6th Dist.)
- State v. Brooks, 2023-Ohio-2978, ¶ 13 (6th Dist.)
- State v. Fell, 2012-Ohio-616, ¶ 14 (6th Dist.)
- State v. Neiss-Parsons, 2021-Ohio-897, ¶ 22 (11th Dist.)
- State v. Jones, 2007-Ohio-2425, ¶ 24 (2d Dist.)
- State v. Yarbrough, 2004-Ohio-6087, ¶¶ 96-102
- State v. Underwood, 2010-Ohio-1, ¶ 31
- State v. Berry, 2021-Ohio-2249 (6th Dist.), ¶ 21
- State v. Damron, 2011-Ohio-2268, ¶ 17