

OHIO COURT OF APPEALS, THIRD APPELLATE DISTRICT

State of Ohio v. Stefanie Burroughs

2026-Ohio-166 · No. 3-25-23, 3-25-24 · Decided January 20, 2026

SUMMARY

The Ohio Third District Court of Appeals affirmed the Crawford County Court of Common Pleas judgments revoking Stefanie Burroughs' community control and imposing concurrent seven-month terms of incarceration. The court held that substantial evidence supported findings that Burroughs violated community control by engaging in conduct constituting domestic violence or assault and by consuming alcohol. The court also held that the statutory 90-day limitation for a technical community-control violation did not apply because the revocation was independently supported by new criminal conduct.

CASE DETAILS

COURT	Ohio Court of Appeals, Third Appellate District
WRITING FOR THE COURT	Juergen A. Waldick; William R. Zimmerman; John R. Willamowski
JURISDICTION	Ohio Court of Appeals, Third Appellate District, Crawford County
DECIDED	January 20, 2026
DOCKET	3-25-23, 3-25-24
DISPOSITION	affirmed
PROCEDURAL POSTURE	Consolidated appeal from judgments of the Crawford County Court of Common Pleas revoking community control in two felony cases and imposing concurrent seven-month terms of incarceration.
STANDARD OF REVIEW	A finding of a community-control violation is reviewed for abuse of discretion. Felony sentences are reviewed under R.C. 2953.08(G)(2) and may be reversed only if clear and convincing evidence shows that the record does not support the trial court's findings under relevant statutes or that the sentence is otherwise contrary to law.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Stefanie Burroughs v. State of Ohio

TOPICS

- probation
- sentencing
- criminal procedure
- standard of review
- appellate procedure

PRACTICE AREAS

criminal law

criminal procedure

sentencing

community control revocation

appellate practice

QUESTIONS PRESENTED

1. Whether the trial court's finding that Burroughs violated community control by engaging in conduct constituting domestic violence or assault was against the manifest weight of the evidence.
2. Whether the trial court abused its discretion or imposed sentences contrary to law by terminating community control and imposing concurrent seven-month terms of incarceration.
3. Whether the seven-month sentences were unlawful because consuming alcohol constituted a technical community-control violation subject to the 90-day limitation in R.C. 2929.15(B)(1)(c)(i).

HOLDINGS

1. The trial court did not abuse its discretion in finding that Burroughs violated the first condition of community control by engaging in conduct constituting domestic violence or assault.
2. The trial court properly terminated Burroughs's community control and imposed concurrent seven-month terms of incarceration.
3. The court did not need to decide whether alcohol consumption was a technical violation because the revocation was independently supported by violations consisting of or including new criminal offenses that were not minor misdemeanors.

KEY QUOTATIONS

“Because a community control violation hearing is not a criminal trial, the State need not prove a violation beyond a reasonable doubt.” (§ 14)

“Rather, ‘the State must show substantial evidence that the offender violated the terms of his community-control sanctions at a community-control-revocation hearing.’” (§ 14)

“Community control revocation hearings are not subject to the rules of evidence and hearsay evidence is admissible.” (§ 15)

“Clear and convincing evidence is that measure or degree of proof which is more than a mere ‘preponderance of the evidence,’ but not to the extent of such certainty as is required ‘beyond a reasonable doubt’ in criminal cases, and which will produce in the mind of the trier of facts a firm belief or conviction as to the facts sought to be established.” (§ 29)

FACTUAL BACKGROUND

Burroughs was serving five-year community-control terms in two fifth-degree felony protection-order cases. Her conditions required her to obey the law and prohibited her from purchasing, possessing, or consuming alcohol. On March 13, 2025, she became involved in a physical confrontation with her sister and consumed alcohol; a probation officer observed signs of intoxication, and Burroughs admitted drinking. The trial court found substantial evidence that she violated community control by engaging in conduct constituting domestic violence or assault and by consuming alcohol.

PROCEDURAL HISTORY

Burroughs pleaded guilty in two separate cases to fifth-degree felony violations of protection orders and received five-year terms of community control. After she admitted an earlier community-control violation, the trial court continued her on community control. In March 2025, new alleged violations based on domestic violence and assault conduct and alcohol consumption were filed. Following an evidentiary hearing, the trial court found violations, terminated community control as unsuccessful, and imposed concurrent seven-month terms of incarceration. Burroughs appealed, and the appeals were consolidated.

DISPOSITION

affirmed

REMAND INSTRUCTIONS

The causes were remanded to the trial court solely for execution of the judgment for costs and issuance of the mandate under App.R. 27.

CASES CITED

- State v. Sandlin, 2022-Ohio-570, ¶ 15 (3d Dist.)
- State v. Adams, 62 Ohio St.2d 151, 157-158 (1980)
- State v. Wallace, 2023-Ohio-676, ¶¶ 12, 15 (3d Dist.)
- State v. Roberts, 2017-Ohio-481, ¶ 20 (2d Dist.), 84 N.E.3d 339
- State v. Boykins, 2015-Ohio-1341, ¶¶ 20, 27 (3d Dist.)
- State v. Burdette, 2011-Ohio-4425 (5th Dist.)
- State v. Thoman, 2024-Ohio-2219, ¶ 10 (3d Dist.)
- State v. Westrick, 2011-Ohio-1169, ¶ 24 (3d Dist.)
- State v. Blankenship, 2022-Ohio-1808, ¶ 16 (3d Dist.)
- State v. Mullins, 2022-Ohio-4686, ¶ 8 (3d Dist.)
- State v. Van Den Eynde, 2023-Ohio-1790, ¶ 4 (3d Dist.)
- State v. Brill, 2023-Ohio-404, ¶ 7 (3d Dist.)
- State v. Runion, 2023-Ohio-254, ¶ 7
- State v. Marcum, 2016-Ohio-1002, ¶ 1
- State v. Sullivan, 2017-Ohio-8937, ¶ 12 (3d Dist.)
- Cross v. Ledford, 161 Ohio St. 469, paragraph three of the syllabus (1954)

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