

OHIO COURT OF APPEALS, SECOND APPELLATE DISTRICT

State v. Barker

2026-Ohio-1579 · No. 2025-CA-75 · Decided May 1, 2026

SUMMARY

The Ohio Second District Court of Appeals affirmed the Clark County Common Pleas Court’s denial of Courtney Barker’s post-sentence motion to withdraw his guilty plea to rape. The court held that Barker failed to demonstrate manifest injustice, ineffective assistance of counsel, or any other basis warranting withdrawal of the plea under Ohio Criminal Rule 32.1.

CASE DETAILS

COURT	Ohio Court of Appeals, Second Appellate District
WRITING FOR THE COURT	Michael L. Tucker; Lewis, P.J.; Hanseman, J.
JURISDICTION	Ohio Court of Appeals, Second Appellate District
DECIDED	May 1, 2026
DOCKET	2025-CA-75
DISPOSITION	affirmed
PROCEDURAL POSTURE	Courtney Barker appealed from the Clark County Common Pleas Court's denial of his post-sentence motion to withdraw his guilty plea and related motion for reconsideration. The Ohio Court of Appeals granted a delayed appeal and affirmed.
STANDARD OF REVIEW	Abuse of discretion. A post-sentence motion to withdraw a guilty plea is reviewed for abuse of discretion.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Courtney Barker v. State of Ohio

TOPICS

- plea bargaining
- post-conviction relief
- ineffective assistance
- criminal procedure
- appellate procedure

PRACTICE AREAS

- criminal procedure
- plea withdrawal
- ineffective assistance of counsel
- appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by denying Barker's post-sentence motion to withdraw his guilty plea under Ohio Criminal Rule 32.1.
2. Whether the alleged failure to investigate and alleged coercive advice by trial counsel established ineffective assistance or a manifest injustice warranting withdrawal of the guilty plea.
3. Whether the trial court erred by accepting the guilty plea without requiring a separate explanation for the withdrawal of Barker's not-guilty-by-reason-of-insanity plea.

HOLDINGS

1. A post-sentence motion to withdraw a guilty plea may be granted only to correct a manifest injustice, and Barker failed to demonstrate the extraordinary circumstances or fundamental flaw necessary to meet that standard.
2. The denial of a post-sentence motion to withdraw a guilty plea is reviewed for abuse of discretion.
3. Counsel's relaying of the prosecutor's alleged statement about potential sentences, without more, did not constitute deficient performance or establish coercion, and Barker's unsupported assertion that counsel failed to investigate did not establish ineffective assistance or manifest injustice.
4. The trial court was not required to provide a separate explanation for Barker's withdrawal of his not-guilty-by-reason-of-insanity plea, and accepting the guilty plea after that withdrawal was not error.

KEY QUOTATIONS

“A “manifest injustice” comprehends a fundamental flaw in the path of justice so extraordinary that the defendant could not have sought redress from the resulting prejudice through another form of application reasonably available to him or her.” (¶ 8)

“The manifest injustice standard demands a showing of extraordinary circumstances.” (¶ 8)

“We conclude that defense counsel’s relay to Barker of a statement made by the prosecutor, without more, cannot support a claim that counsel intimidated Barker and coerced him into entering a plea.” (¶ 12)

FACTUAL BACKGROUND

Barker was indicted in April 2023 on one count of rape of a child less than thirteen years old. After initially entering pleas of not guilty and not guilty by reason of insanity and requesting competency and sanity evaluations, he entered a negotiated guilty plea under an agreement that limited the State from bringing additional charges involving the same victim. Following a full Crim.R. 11 colloquy, the trial court accepted the plea and imposed an indefinite sentence of ten years to life. Barker later asserted that his plea was improperly accepted, that counsel coerced him by relaying a prosecutor's alleged threat of fifteen life sentences, and that counsel failed to investigate the case.

PROCEDURAL HISTORY

Barker was indicted for rape of a child under thirteen, entered a negotiated guilty plea, and received an indefinite sentence of ten years to life and Tier III sex-offender designation. He later filed motions seeking leave to

withdraw his guilty plea and to withdraw the plea; the trial court denied those motions and denied reconsideration. The appellate court granted a delayed appeal and affirmed the trial court's judgment.

DISPOSITION

affirmed

CASES CITED

- State v. Hartzell, 1999 WL 957746, *2 (2d Dist.)
- State v. Wheeler, 2002 WL 91304, *1 (2d Dist. Jan. 25, 2002)
- State v. Smith, 49 Ohio St.2d 261 (1977), paragraph two of the syllabus
- AAAA Ents., Inc. v. River Place Community Urban Redevelopment Corp., 50 Ohio St.3d 157, 161 (1990)

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