

COURT OF APPEALS OF OHIO, ELEVENTH APPELLATE DISTRICT,
ASHTABULA COUNTY

State v. Norman

2026-Ohio-779 · No. 2025-A-0023 · Decided March 9, 2026

SUMMARY

The Ohio Eleventh District Court of Appeals affirmed Damien Lujuane Norman's convictions for felonious assault with a firearm specification and having weapons while under disability. The court rejected his claims of ineffective assistance of counsel, evidentiary error, juror dismissal error, sentencing error, and insufficient or against-the-manifest-weight evidence. The court upheld his aggregate sentence of 14 to 18 years in prison.

CASE DETAILS

COURT	Court of Appeals of Ohio, Eleventh Appellate District, Ashtabula County
WRITING FOR THE COURT	Eugene A. Lucci; Matt Lynch; Robert J. Patton
JURISDICTION	Court of Appeals of Ohio, Eleventh Appellate District, Ashtabula County
DECIDED	March 9, 2026
DOCKET	2025-A-0023
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed his convictions and sentence from the Ashtabula County Court of Common Pleas, raising ineffective-assistance, juror-exclusion, evidentiary, sentencing, sufficiency-of-the-evidence, and manifest-weight assignments of error.
STANDARD OF REVIEW	Ineffective assistance is reviewed under the deficient-performance and prejudice test. A trial court's handling of outside influence on jurors is reviewed for abuse of discretion. Felony sentences are reviewed under R.C. 2953.08(G), including whether the sentence is contrary to law and whether the record supports consecutive-sentence findings by clear and convincing evidence. Sufficiency and manifest-weight claims are reviewed under their respective evidentiary standards; when both are raised, a manifest-weight determination that supports the verdict presupposes sufficient evidence.

PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Damien Lujuané Norman v. State of Ohio

TOPICS

ineffective assistance criminal procedure evidence sentencing appellate procedure

PRACTICE AREAS

criminal law criminal procedure appellate litigation evidence sentencing

QUESTIONS PRESENTED

1. Whether trial counsel rendered ineffective assistance through alleged lack of preparation, continuance requests, trial strategy, witness decisions, evidentiary decisions, closing argument, sentencing advocacy, plea advice, and a potential conflict of interest.
2. Whether the trial court abused its discretion by excusing juror A.H. after apparent targeted social-media contact while allowing juror N.K. to remain.
3. Whether admission of unauthenticated MetroHealth medical records constituted reversible error and whether the remaining evidence proved physical harm for felonious assault.
4. Whether Norman's felony sentence, including consecutive sentences, was unreasonable or contrary to law.
5. Whether the convictions were supported by sufficient evidence and were not against the manifest weight of the evidence, including evidence of the knowingly mens rea.

HOLDINGS

1. Norman failed to establish either deficient performance or resulting prejudice under the Strickland test. The challenged continuances, trial tactics, witness decisions, cross-examination, evidentiary choices, closing argument, sentencing advocacy, plea-related conduct, and potential conflict did not warrant reversal.
2. The trial court did not abuse its discretion by excusing juror A.H. while retaining juror N.K. because A.H. appeared to have been specifically targeted by an outside person attempting to influence her, whereas N.K. reported no case-related contact.
3. Although admission of the uncertified MetroHealth medical records was error, the error was harmless because photographs and Norman's admission established that Beninato suffered physical harm from being struck in the head with a firearm.
4. Norman's sentence was not contrary to law. The trial court considered the statutory sentencing purposes and factors, reviewed the presentence investigation, and made findings sufficient to impose consecutive sentences.
5. The convictions were supported by sufficient evidence and were not against the manifest weight of the evidence. A reasonable juror could find that striking a person in the head with a firearm knowingly

causes physical harm, regardless of the defendant's subjective motive.

KEY QUOTATIONS

“Taken together, we hold that defense counsel was not deficient in his performance during closing and Mr. Norman suffered no prejudice from counsel’s representations to the jury.” (¶ 53)

“Given the trial court’s statement regarding juror targeting, we hold the dismissal of juror A.H. was reasonable and not in any way inconsistent with its decision to allow juror N.K. to remain on the panel.” (¶ 76)

“the photographic exhibits were sufficient to establish that Mr. Beninato experienced physical harm due to Mr. Norman striking him with a deadly weapon.” (¶ 85)

“As a result, we conclude that Mr. Norman, regardless of his personal motivation or purpose, can be imputed with an awareness and therefore legal “knowledge” that his actions would probably cause the result that occurred.” (¶ 103)

FACTUAL BACKGROUND

After an argument at Angela Hamilton's residence, Damien Norman observed Anthony Beninato pushing and shoving Hamilton. Norman retrieved an unloaded firearm from a closet, struck Beninato in the head with it, and fled. Beninato suffered serious head injuries, including skull fractures and brain bleeds, and Norman later admitted striking him while claiming he acted to protect his mother. Police recovered the disassembled firearm after searching Norman's home pursuant to a warrant, and evidence established that Norman was prohibited from possessing firearms because of a prior felony domestic-violence conviction.

PROCEDURAL HISTORY

Norman was indicted for felonious assault with a firearm specification and having weapons while under disability. After rejecting plea offers, he proceeded to a jury trial, was convicted on all charges, and received consecutive prison terms totaling 14 to 18 years. The Eleventh District affirmed the judgment and issued its mandate under Ohio Appellate Rule 27.

DISPOSITION

affirmed

CASES CITED

- State v. Davis, 2020-Ohio-309, ¶ 10
- State v. Bradley, 42 Ohio St.3d 136, 141-142 (1989)
- Strickland v. Washington, 466 U.S. 668, 687, 689 (1984)
- State v. Love, 2023-Ohio-3690, ¶ 31 (11th Dist.)
- State v. Shirey, 2006-Ohio-256, ¶ 13 (9th Dist.)
- State v. Kovacic, 2012-Ohio-219, ¶ 46 (11th Dist.)

- State v. Beesler, 2003-Ohio-2815, ¶ 13 (11th Dist.)
- State v. Phillips, 2004-Ohio-4688, ¶ 41 (2d Dist.)
- State v. Tate, 1993 WL 268462, *1 (6th Dist. July 16, 1993)
- Michel v. Louisiana, 350 U.S. 91 (1955)
- State v. Pope, 2023-Ohio-865, ¶ 37 (6th Dist.)
- State v. Wynn, 2014-Ohio-420, ¶ 90 (2d Dist.)
- Faretta v. California, 422 U.S. 806, 819-820 (1975)
- Gannett Co. v. DePasquale, 443 U.S. 368, 382 n.10 (1979)
- Gonzalez v. United States, 553 U.S. 242, 248 (2008)
- New York v. Hill, 528 U.S. 110, 115 (2000)
- McCoy v. Louisiana, 584 U.S. 414, 422 (2018)
- Jones v. Barnes, 463 U.S. 745, 751 (1983)
- State v. Brown, 2007-Ohio-2005, ¶ 35 (5th Dist.)
- State v. Coe, 2003-Ohio-2732, ¶ 19 (4th Dist.)
- State v. Jones, 2001-Ohio-57, ¶ 48
- State v. Carter, 1992-Ohio-127, ¶ 25
- State v. McKnight, 2005-Ohio-6046, ¶ 191
- State v. Phillips, 1995-Ohio-171, ¶ 54
- State v. Wilson, 2002-Ohio-1854, ¶¶ 73-74 (1st Dist.)
- United States v. Toribio-Lugo, 164 F. Supp. 2d 251 (P.R. 2001)
- State v. Segoria, 2024-Ohio-1392, ¶¶ 40-41 (2d Dist.)
- State v. Lamb, 2023-Ohio-2834, ¶¶ 9-10 (11th Dist.)
- State v. Gwynne, 2023-Ohio-3851, ¶ 15
- State v. Shannon, 2021-Ohio-789, ¶¶ 11, 17 (11th Dist.)
- State v. Brown, 2017-Ohio-8416, ¶ 74 (2d Dist.)
- State v. Clinton, 2017-Ohio-9423, ¶ 243
- State v. Smith, 2014-Ohio-1520, ¶ 14 (8th Dist.)
- State v. Jones, 2014-Ohio-29, ¶ 13 (8th Dist.)
- State v. Jones, State v. Jones, 2020-Ohio-6729, ¶ 42
- State v. Masters, 2020-Ohio-864, ¶ 17 (11th Dist.)
- State v. Schlee, 1994 WL 738452, *5 (11th Dist. Dec. 23, 1994)
- State v. Davis, 49 Ohio App.3d 109, 113 (8th Dist. 1988)
- State v. McFeely, 2009-Ohio-1436, ¶ 78 (11th Dist.)
- State v. Dietrich, 2024-Ohio-2039, ¶ 13 (11th Dist.)
- State v. Barker, 2012-Ohio-522, ¶ 114 (11th Dist.)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/court-of-appeals-of-ohio-eleventh-appellate-district-ashtabula-county-court-of-appeals-of-ohio-eleve/2026/state-v-norman-eofv3sy0>