

COURT OF APPEALS OF OHIO, EIGHTH APPELLATE DISTRICT,
CUYAHOGA COUNTY

State v. Robinson

2025-Ohio-5343 · No. 114859 · Decided November 26, 2025

SUMMARY

The Ohio Eighth District Court of Appeals affirmed the denial of Cortez Robinson’s presentence motion to withdraw his guilty pleas. The court held that the trial court conducted a complete hearing, properly considered the relevant factors, and did not abuse its discretion in finding that Robinson lacked a reasonable and legitimate basis for withdrawal.

CASE DETAILS

COURT	Court of Appeals of Ohio, Eighth Appellate District, Cuyahoga County
WRITING FOR THE COURT	Sean C. Gallagher, J.; Mary J. Boyle, P.J.; William A. Klatt, J.
JURISDICTION	Court of Appeals of Ohio, Eighth Appellate District, Cuyahoga County
DECIDED	November 26, 2025
DOCKET	114859
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed the denial of his presentence oral motion to withdraw guilty pleas entered pursuant to a negotiated plea agreement.
STANDARD OF REVIEW	Abuse of discretion. A trial court's decision on a presentence motion to withdraw a guilty plea is affirmed absent an abuse of discretion.
PRECEDENTIAL VALUE	Published
PARTIES	Cortez Robinson v. State of Ohio

TOPICS

- plea bargaining
- criminal procedure
- standard of review
- appellate procedure

PRACTICE AREAS

- Criminal procedure
- Appellate procedure
- Plea withdrawal
- Guilty pleas

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by denying Robinson's presentence motion to withdraw his guilty pleas.
2. Whether Robinson established a reasonable and legitimate basis for withdrawal based on the timing of the motion, his alleged lack of understanding, the adequacy of the Crim.R. 11 colloquy, and the asserted lack of prejudice to the State.

HOLDINGS

1. A defendant does not have an absolute right to withdraw a guilty plea before sentencing; the trial court must conduct a hearing and determine whether there is a reasonable and legitimate basis for withdrawal, and the decision is committed to the court's sound discretion.
2. The trial court did not abuse its discretion in denying Robinson's presentence motion to withdraw his guilty pleas because Robinson did not present a reasonable and legitimate basis for withdrawal.
3. The trial court conducted an adequate Crim.R. 11 colloquy, and the record supported the conclusion that Robinson entered knowing, voluntary, and intelligent guilty pleas.

KEY QUOTATIONS

“A trial court must conduct a hearing to determine whether there is “a reasonable and legitimate basis” for withdrawing the plea, and the decision to grant or deny the motion “is within the sound discretion of the trial court.””

“A mere change of heart regarding a guilty plea and the possible sentence is insufficient justification for the withdrawal of a guilty plea.”

FACTUAL BACKGROUND

Robinson was charged in connection with an armed incident in which one victim was killed by a gunshot to the back of the head and another was seriously injured. The evidence included eyewitness identification, reports from family members and Robinson's girlfriend, inconsistent statements to police, allegedly false alibis, and the theft of cash and phones. After a prior plea withdrawal and appointment of new counsel, Robinson entered guilty pleas to amended charges, then sought to withdraw them at the start of sentencing.

PROCEDURAL HISTORY

Robinson was indicted in a 14-count case and initially entered guilty pleas that the trial court permitted him to withdraw. After new counsel was appointed, he entered a second negotiated guilty plea to amended charges following a Crim.R. 11 colloquy. At the start of sentencing, Robinson moved orally to withdraw those pleas; the trial court denied the motion and sentenced him to an aggregate term of 22 to 26 years. The Court of Appeals affirmed.

DISPOSITION

affirmed

REMAND INSTRUCTIONS

The case was remanded to the trial court for execution of the sentence. The court directed that a special mandate issue, and terminated any bail pending appeal.

CASES CITED

- State v. Barnes, 2022-Ohio-4486
- State v. Xie, 62 Ohio St. 3d 521, 527 (1992)
- State v. Wilder, 2025-Ohio-3075
- State v. Peterseim, 68 Ohio App. 2d 211 (8th Dist. 1980)
- State v. Fish, 104 Ohio App. 3d 236, 240 (1st Dist. 1995)
- Barker v. United States, 579 F.2d 1219, 1223 (10th Cir. 1978)
- State v. Estep, 2024-Ohio-58
- State v. Banks, 2019-Ohio-1770
- State v. Woods, 2024-Ohio-1589
- State v. Watson, 2014-Ohio-2373
- State v. Singleton, 2025-Ohio-1735
- State v. Quarterman, 2014-Ohio-4034
- State v. Bodyke, 2010-Ohio-2424
- State v. Griggs, 2004-Ohio-4415
- State v. Dangler, 2020-Ohio-2765
- State v. Fontanez, 2024-Ohio-4579