

COURT OF APPEALS OF OHIO, ELEVENTH APPELLATE DISTRICT

State v. Davis

2026-Ohio-1415 · No. 2025-T-0076 · Decided April 20, 2026

SUMMARY

The Ohio Eleventh District Court of Appeals reversed and remanded an order prohibiting a bail surety from posting future bonds until a forfeited bond was paid. The court held that the trial court failed to follow the notice and opportunity-to-be-heard procedures required by Ohio Revised Code § 2937.36(C).

CASE DETAILS

COURT	Court of Appeals of Ohio, Eleventh Appellate District
WRITING FOR THE COURT	Matt Lynch, P.J.; John J. Eklund, J.; Robert J. Patton, J.
JURISDICTION	Ohio Court of Appeals, Eleventh Appellate District, Trumbull County
DECIDED	April 20, 2026
DOCKET	2025-T-0076
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Chuck Brown II Bail Bonds appealed the Trumbull County Central District Court's order prohibiting it from posting bonds until a previously forfeited bond was paid in full.
STANDARD OF REVIEW	A trial court's bond-forfeiture decision is reviewed for abuse of discretion, defined as a failure to exercise sound, reasonable, and legal decision-making.
PRECEDENTIAL VALUE	Published
PARTIES	Chuck Brown II Bail Bonds v. State of Ohio

TOPICS

- bail
- forfeiture
- appellate procedure
- statutory interpretation
- standard of review

PRACTICE AREAS

- Criminal procedure
- Bail and bond forfeiture
- Appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by forfeiting a surety bond without following the procedures required by R.C. 2937.36(C).
2. Whether the trial court abused its discretion by both imposing a bond forfeiture and prohibiting the surety from posting additional bonds until the forfeiture was paid in full.

HOLDINGS

1. The trial court abused its discretion by failing to follow the statutory bond-forfeiture procedures in R.C. 2937.36(C), including mailing notice of the forfeiture and allowing the surety between forty-five and sixty days to show cause why judgment should not be entered.
2. Because the trial court failed to follow the required statutory forfeiture procedures, its subsequent order prohibiting the surety from posting future bonds until the forfeited bond was paid was also erroneous.

KEY QUOTATIONS

“Specifically, the trial court abused its discretion under the statute when it failed to notify appellant of the September 15, 2025 declaration of forfeiture “by ordinary mail” and failed to afford appellant “not less than forty-five nor more than sixty days” to contest the declaration of forfeiture before it imposed the additional sanction of prohibiting any future bond until the forfeited amount is fully paid.” (¶ 7)

FACTUAL BACKGROUND

Chuck Brown II Bail Bonds posted a \$1,000 surety bond for Breonne F. Davis after her arrest for failing to appear at a probation-violation hearing. Davis again failed to appear, and a warrant was issued; she was apprehended more than two years later. The trial court scheduled a forfeiture hearing, but after the surety failed to appear, it prohibited the surety from posting future bonds until the forfeited bond was paid in full.

PROCEDURAL HISTORY

Chuck Brown II Bail Bonds posted a \$1,000 surety bond for Breonne F. Davis. After Davis failed to appear, the trial court forfeited the bond and prohibited the surety from posting additional bonds until the forfeiture was paid. The surety appealed, and the State conceded that the trial court had erred. The appellate court reversed and remanded.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The trial court must provide the surety and the accused with notice and an opportunity to be heard pursuant to the statutory procedure in R.C. 2937.36(C).

CASES CITED

- State v. Urch, 2019-Ohio-3996, ¶ 14 (11th Dist.)

- State v. Beechler, 2010-Ohio-1900, ¶ 62
- State v. Berry, 2014-Ohio-2715, ¶ 11 (12th Dist.)
- State v. Green, 2002-Ohio-5769, ¶¶ 17-18 (9th Dist.)

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