

OHIO COURT OF APPEALS, FIFTH APPELLATE DISTRICT, DELAWARE
COUNTY

State v. Vanhorn

2025-Ohio-5748 · No. 25 CAA 07 0052 · Decided December 23, 2025

SUMMARY

The Fifth District Court of Appeals of Ohio affirmed the Delaware County Court of Common Pleas’ denial of Derek Vanhorn’s motion seeking an order allowing him to retest for an Ohio driver’s license. The court held that the trial court acted within its discretion in considering Vanhorn’s subsequent criminal and traffic convictions and that the denial did not alter the court’s prior 2015 entry concerning limited driving privileges.

CASE DETAILS

COURT	Ohio Court of Appeals, Fifth Appellate District, Delaware County
WRITING FOR THE COURT	Robert G. Montgomery; Andrew J. King; Kevin W. Popham
JURISDICTION	Ohio Court of Appeals, Fifth Appellate District, Delaware County
DECIDED	December 23, 2025
DOCKET	25 CAA 07 0052
DISPOSITION	affirmed
PROCEDURAL POSTURE	Derek Vanhorn appealed the Delaware County Court of Common Pleas' denial of his motion for an order allowing him to retest for an Ohio driver's license.
STANDARD OF REVIEW	Abuse of discretion; the appellate court reviewed whether the trial court's decision was unreasonable, arbitrary, or unconscionable.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Derek Vanhorn v. State of Ohio

TOPICS

- appellate procedure
- standard of review
- criminal procedure
- post-conviction relief

PRACTICE AREAS

- criminal procedure
- appellate procedure
- post-conviction relief

QUESTIONS PRESENTED

1. Whether the trial court erred by denying Vanhorn's request to retest for an Ohio driver's license despite the trial court's 2015 order.
2. Whether the trial court abused its discretion by considering Vanhorn's intervening criminal and traffic convictions and denying his 2025 motion.

HOLDINGS

1. A trial court may review the facts and evidence existing when a later motion is filed, even when an earlier order addressed a related request; the law-of-the-case doctrine does not categorically prohibit reconsideration of a prior ruling.
2. The trial court did not abuse its discretion by denying Vanhorn's motion for an updated order allowing him to retest for an Ohio driver's license.

KEY QUOTATIONS

““Abuse of Discretion” has been defined by the Ohio Supreme Court as “conduct that is unreasonable, arbitrary, or unconscionable.”” (§ 12)

“The rule of the law of the case is a rule of practice, based upon sound policy that when an issue is once litigated and decided, that should be the end of the matter.” (§ 16)

“The doctrine's purpose is to ensure ‘consistency of results in a case, to avoid endless litigation by settling the issues, and to preserve the structure of superior and inferior courts as designed by the Ohio Constitution.’” (§ 17)

FACTUAL BACKGROUND

In 2011, Derek Vanhorn drove at a high rate of speed with a suspended license, crossed the center line, and struck another vehicle, killing its passenger. He pleaded no contest to aggravated vehicular homicide and received a 42-month prison sentence, restitution and court costs, and a lifetime driver's-license suspension. After a 2015 order allowed him to renew his license subject to requirements, he incurred a 2019 failure-to-comply conviction and a 2023 conviction involving driving under suspension and physical control. The trial court denied his 2025 request for an updated order allowing him to retest for a license.

PROCEDURAL HISTORY

Vanhorn was convicted of aggravated vehicular homicide after entering a no-contest plea in 2012 and received a lifetime driver's-license suspension. In 2015, the trial court granted him permission to renew his license subject to specified requirements. In 2025, after additional criminal and traffic convictions, Vanhorn sought an up-to-date order permitting him to complete a remedial driving course or take the driver's-license examination; the trial court denied the request, and the Court of Appeals affirmed.

DISPOSITION

affirmed

CASES CITED

- Blakemore v. Blakemore, 5 Ohio St.3d 217, 219 (1983)
- United States v. United States Smelting Ref. & Mining Co., 339 U.S. 186, 198 (1950)
- Myers v. Vitanovic, 2022-Ohio-4802, ¶¶ 18-19
- Nolan, at 3, 462 N.E.2d 410
- Poluse v. Youngstown, 135 Ohio App.3d 720, 725 (7th Dist. 1999)

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