

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

State v. Liotta

2026-Ohio-564 · No. 115226 · Decided February 19, 2026

SUMMARY

The Ohio Eighth District Court of Appeals affirmed Anthony Liotta’s convictions and concurrent prison sentences for domestic violence and harassment with a bodily substance. The court held that Liotta’s guilty plea was knowing, intelligent, and voluntary, that the trial court properly considered the felony-sentencing factors, and that the stated range of postrelease control did not violate separation of powers.

CASE DETAILS

COURT	Court of Appeals of Ohio, Eighth Appellate District, Cuyahoga County
WRITING FOR THE COURT	Mary J. Boyle; Lisa B. Forbes; Anita Laster Mays
JURISDICTION	Ohio Court of Appeals, Eighth Appellate District, Cuyahoga County
DECIDED	February 19, 2026
DOCKET	115226
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed his convictions and sentence following guilty pleas in the Cuyahoga County Court of Common Pleas.
STANDARD OF REVIEW	Guilty-plea validity is reviewed de novo under the totality of the circumstances. Felony sentencing is reviewed under R.C. 2953.08(G) (2), under which the appellate court may vacate or remand only upon a clear and convincing finding that the sentence is contrary to law.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Anthony Liotta v. State of Ohio

TOPICS

- plea bargaining
- sentencing
- criminal procedure
- appellate procedure
- constitutional law

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Liotta's guilty plea was knowing, intelligent, and voluntary when the trial court did not advise him of a statutory presumption of prison.
2. Whether the trial court failed to consider the seriousness and recidivism factors under R.C. 2929.12 when imposing sentence.
3. Whether imposing postrelease control as a statutory range rather than a definite term violated separation of powers or Liotta's constitutional rights.

HOLDINGS

1. The plea was knowingly, intelligently, and voluntarily entered. The statutory presumption of prison did not apply because the applicable provision took effect after Liotta was indicted and sentenced, and, in any event, Crim.R. 11(C)(2)(a) does not require the court to advise a defendant of a statutory presumption in favor of incarceration.
2. The sentence was not contrary to law because the trial court considered the purposes and principles of felony sentencing and the seriousness and recidivism factors. The court was not required to make specific findings or state reasons for each factor, and the sentencing entry's statement that all required factors were considered was sufficient.
3. Imposing mandatory postrelease control of one to three years did not violate the separation-of-powers doctrine. The trial court was required to impose postrelease control for Liotta's third-degree felony offense of violence, and Ohio law did not require the court to select a definite term within the statutory range.

KEY QUOTATIONS

“When determining whether a plea was made knowingly, intelligently, and voluntarily, a reviewing court must examine “the totality of the circumstances through a de novo review.””

“Properly understood, the questions to be answered are simply: (1) has the trial court complied with the relevant provision of the rule? (2) if the court has not complied fully with the rule, is the purported failure of a type that excuses a defendant from the burden of demonstrating prejudice? and (3) if a showing of prejudice is required, has the defendant met that burden?”

“Although the sentencing court must consider the sentencing factors set forth in R.C. 2929.12, the court is not required to make findings or give reasons supporting the factors when imposing a sentence that is not considered contrary to law.”

“Therefore, we decline to insert an additional requirement into the PRC statute.”

FACTUAL BACKGROUND

Liotta was charged after an incident involving his wife in which he punched her in the head and restrained her from leaving their home. When police arrived, he yelled obscenities and spat at them. He pleaded guilty to third-degree-felony domestic violence and fifth-degree-felony harassment with a bodily substance, and the State dismissed two abduction counts and a misdemeanor protection-order count. The trial court imposed concurrent prison terms of 36 months and 12 months, plus mandatory postrelease control of one to three years.

PROCEDURAL HISTORY

Liotta was indicted on domestic violence, abduction, harassment with a bodily substance, and protection-order charges. He pleaded guilty to domestic violence and harassment with a bodily substance in exchange for dismissal of the remaining counts. The common pleas court imposed concurrent prison terms and postrelease control. The Eighth District affirmed the judgment and remanded only for execution of sentence.

DISPOSITION

affirmed

REMAND INSTRUCTIONS

The case was remanded to the trial court solely for execution of sentence; the appellant's bail pending appeal was terminated.

CASES CITED

- State v. Nevels, 2020-Ohio-915, ¶ 19 (8th Dist.)
- State v. Albright, 2019-Ohio-1998, ¶ 16 (8th Dist.)
- State v. Dangler, 2020-Ohio-2765, ¶¶ 10, 12, 14-15
- State v. Stewart, 51 Ohio St.2d 86, 92 (1977)
- State v. Stevenson, 2018-Ohio-2645, ¶ 2 (8th Dist.)
- State v. Raymond, 2013-Ohio-3144, ¶ 9 (8th Dist.)
- State v. Gales, 1998 Ohio App. LEXIS 4785 (2d Dist. Oct. 9, 1998)
- State v. Black, 2020-Ohio-3117, ¶ 13 (8th Dist.)
- State v. Pawlak, 2016-Ohio-5926, ¶ 58 (8th Dist.)
- State v. Boyd, 2020-Ohio-5181, ¶ 18 (8th Dist.)
- State v. Riemer, 2021-Ohio-4122, ¶¶ 16-17 (8th Dist.)
- State v. Reindl, 2021-Ohio-2586, ¶¶ 24-25 (8th Dist.)
- State v. Marcum, 2016-Ohio-1002
- State v. Solomon, 2021-Ohio-940, ¶ 115 (8th Dist.)
- State v. Whitehead, 2021-Ohio-847, ¶ 34 (8th Dist.)
- State v. Seith, 2016-Ohio-8302, ¶ 12 (8th Dist.)
- State v. Keith, 2016-Ohio-5234, ¶ 11 (8th Dist.)
- State v. McFarland, 2025-Ohio-3287 (8th Dist.)

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