

OHIO COURT OF APPEALS, FIFTH APPELLATE DISTRICT

State v. Amos

2026-Ohio-1424 · No. 2025 CA 008 · Decided April 20, 2026

SUMMARY

The Ohio Fifth District Court of Appeals affirmed Kelsey Amos's conviction for theft under R.C. 2913.02(A)(1). The court held that sufficient evidence supported complicity under R.C. 2923.03(A)(2) and that the conviction was not against the manifest weight of the evidence.

CASE DETAILS

COURT	Ohio Court of Appeals, Fifth Appellate District
WRITING FOR THE COURT	Craig R. Baldwin; William B. Hoffman; Robert G. Montgomery
JURISDICTION	Ohio Court of Appeals, Fifth Appellate District, Holmes County
DECIDED	April 20, 2026
DOCKET	2025 CA 008
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed his bench-trial conviction for theft, challenging the conviction as unsupported by sufficient evidence and against the manifest weight of the evidence.
STANDARD OF REVIEW	For sufficiency of the evidence, the court viewed the evidence in the light most favorable to the prosecution and asked whether any rational trier of fact could have found the essential elements proven beyond a reasonable doubt. For manifest weight, the court reviewed the entire record, weighed the evidence and reasonable inferences, considered witness credibility, and determined whether the fact finder clearly lost its way and created a manifest miscarriage of justice.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Kelsey Amos v. State of Ohio

TOPICS

- criminal procedure
- evidence
- standard of review
- appellate procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether sufficient evidence supported Amos's theft conviction under a complicity theory.
2. Whether the theft conviction was against the manifest weight of the evidence.

HOLDINGS

1. The evidence was legally sufficient to support Amos's conviction for complicity in theft because, viewing the evidence in the light most favorable to the prosecution, a rational trier of fact could find beyond a reasonable doubt that Amos aided or abetted K.B. and shared the criminal intent required for the theft.
2. The conviction was not against the manifest weight of the evidence because the trial court did not clearly lose its way or create a manifest miscarriage of justice in accepting the evidence supporting complicity and rejecting K.B.'s exculpatory testimony.

KEY QUOTATIONS

“The test for sufficiency of the evidence is” whether, after viewing the evidence in a light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime proven beyond a reasonable doubt.” (¶15)

“When a court of appeals reverses a judgment of a trial court on the basis that the verdict is against the weight of the evidence, the appellate court sits as a “thirteenth juror” and disagrees with the fact finder’s resolution of the conflicting testimony.” (¶16)

FACTUAL BACKGROUND

Kelsey Amos drove K.B. in a Cadillac to Winesburg Meats, where K.B. took A.S.'s unattended e-bike and trailer without consent. Security footage showed Amos stop beside the e-bike, speak with K.B. before K.B. took it, and follow K.B. after the theft. K.B. testified that he alone committed the theft and that Amos had nothing to do with it, but the trial court rejected that account and found Amos guilty under a complicity theory.

PROCEDURAL HISTORY

The Holmes County Grand Jury indicted Amos for theft under R.C. 2913.02(A)(1). After a bench trial, the Holmes County Court of Common Pleas found him guilty and sentenced him on July 9, 2025. Amos timely appealed, and the Fifth District affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Worley, 2021-Ohio-2207, ¶57

- State v. Jenks, 61 Ohio St. 3d 259, 574 N.E.2d 492 (1991)
- State v. Smith, 80 Ohio St. 3d 102, 1997-Ohio-355, 684 N.E.2d 668 (1997)
- Jackson v. Virginia, 443 U.S. 307, 99 S. Ct. 2781, 61 L. Ed. 2d 560 (1979)
- State v. Long, 129 Ohio St. 3d 512, 2011-Ohio-4215, 954 N.E.2d 596, ¶219
- State v. Thompkins, 78 Ohio St. 3d 380, 386-387, 1997-Ohio-52, 678 N.E.2d 541 (1997)
- Tibbs v. Florida, 457 U.S. 31, 42, 102 S. Ct. 2211, 72 L. Ed. 2d 652 (1982)
- State v. Martin, 20 Ohio App. 3d 172, 175, 20 OBR 215, 219, 485 N.E.2d 717, 720-721 (1983)
- Seasons Coal Co. Inc. v. Cleveland, 10 Ohio St. 3d 77, 10 Ohio B. 408, 461 N.E.2d 1273 (1984)
- State v. Jackson, 2003-Ohio-5946, ¶32 (10th Dist.)
- State v. McGregor, 2016-Ohio-3082, ¶10 (5th Dist.)
- State v. Smith, 1997-Ohio-355, 80 Ohio St. 3d 89, 684 N.E.2d 668