

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

State v. Yaeger

2026-Ohio-2186 · No. No. 115642 · Decided June 11, 2026

SUMMARY

The Ohio Eighth District Court of Appeals affirmed Kaeden Yaeger's convictions for aggravated robbery, robbery, aggravated menacing, and related firearm specifications, and remanded the matter. The court held that a detective's lay testimony regarding a video depiction of Yaeger handling an object was admissible under Evid.R. 701, while testimony relaying information from a CAD report was hearsay but did not constitute plain error. The court also rejected Yaeger's manifest-weight challenge and addressed his claim concerning multiple firearm specifications.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                    |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Court of Appeals of Ohio, Eighth Appellate District, Cuyahoga County                                                                                                                                                                                                               |
| WRITING FOR THE COURT | Timothy W. Clary; Mary J. Boyle; Sean C. Gallagher                                                                                                                                                                                                                                 |
| JURISDICTION          | Ohio Court of Appeals, Eighth Appellate District, Cuyahoga County                                                                                                                                                                                                                  |
| DECIDED               | June 11, 2026                                                                                                                                                                                                                                                                      |
| DOCKET                | No. 115642                                                                                                                                                                                                                                                                         |
| DISPOSITION           | affirmed_and_remanded                                                                                                                                                                                                                                                              |
| PROCEDURAL POSTURE    | Defendant appealed his jury-trial convictions and sentence from the Cuyahoga County Court of Common Pleas, challenging evidentiary rulings, the manifest weight of the evidence, and the imposition of two firearm specifications.                                                 |
| STANDARD OF REVIEW    | Evidentiary rulings are reviewed for abuse of discretion. Unpreserved evidentiary error is reviewed for plain error under Crim.R. 52(B). A manifest-weight challenge is reviewed to determine whether the jury clearly lost its way and created a manifest miscarriage of justice. |
| PRECEDENTIAL VALUE    | Published appellate opinion                                                                                                                                                                                                                                                        |
| PARTIES               | Kaeden Yaeger v. State of Ohio                                                                                                                                                                                                                                                     |

TOPICS

- criminal procedure
- evidence
- hearsay
- expert testimony
- appellate procedure

## PRACTICE AREAS

criminal law

criminal procedure

evidence

appellate practice

sentencing

## QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by allowing Detective Little to offer lay-opinion testimony that Yaeger was manipulating or racking a firearm in a video.
2. Whether testimony concerning a CAD report prepared by another officer was inadmissible hearsay and, if so, whether its admission constituted plain error.
3. Whether Yaeger's convictions were against the manifest weight of the evidence.
4. Whether the trial court improperly imposed separate prison terms for two firearm specifications attached to offenses merged for sentencing.
5. Whether the sentencing entry required correction because it omitted the maximum prison term under the Reagan Tokes Law.

## HOLDINGS

1. The trial court did not abuse its discretion by allowing Detective Little to testify that Yaeger's hand movements in the video were similar to the movements used to rack or unjam a firearm.
2. The testimony concerning the CAD report was inadmissible hearsay because Detective Little did not make or adopt the statements and did not personally observe the suspects running, but the error was not plain error requiring reversal.
3. Yaeger's convictions were not against the manifest weight of the evidence.
4. The trial court was required to impose a prison term for each of the two most serious firearm specifications even though the underlying aggravated-robbery and robbery offenses merged for sentencing.
5. The case must be remanded for a nunc pro tunc sentencing entry that includes the maximum prison term imposed under the Reagan Tokes Law.

## KEY QUOTATIONS

*“If the witness is not testifying as an expert, the witness’ testimony in the form of opinions or inferences is limited to those opinions or inferences which are (1) rationally based on the perception of the witness and (2) helpful to a clear understanding of the witness’ testimony or the determination of a fact in issue.”* (Opinion text, Evid.R. 701 discussion)

*“Courts are to take notice of plain error with the “‘utmost caution, under exceptional circumstances, and only to prevent a manifest miscarriage of justice.’”* (Opinion text, plain-error discussion)

*“The statute makes no exception to the application of its provisions if one of the underlying felony offenses has been merged.”* (Opinion text, firearm-specification discussion)

## FACTUAL BACKGROUND

Yaeger entered a Cleveland deli shortly after midnight and was identified by two employees as displaying a firearm near the cash register while attempting to take Twisted Tea beverages. He fled to a truck driven by Lapsley, and the deli owner fired at the truck as it left, causing it to crash; Yaeger and Lapsley were later found with gunshot wounds. Police recovered shell casings, a firearm magazine, and a holster, but no firearm. The jury convicted Yaeger of aggravated robbery, robbery, aggravated menacing, and firearm specifications, while acquitting Lapsley and acquitting Yaeger on other charges.

## PROCEDURAL HISTORY

Yaeger was transferred from juvenile court to adult court, indicted with codefendant Ivan Lapsley, and tried before a jury. The trial court denied Yaeger's Crim.R. 29 motions. The jury convicted him of aggravated robbery, robbery, aggravated menacing, and attendant firearm specifications, acquitting him of one robbery count and improperly handling a firearm. The court merged the aggravated-robbery and robbery offenses for sentencing but imposed separate three-year terms for the two firearm specifications, resulting in a nine-year sentence. The appellate court affirmed the convictions and sentence and remanded solely for a nunc pro tunc entry correcting the sentencing journal entry.

## DISPOSITION

affirmed\_and\_remanded

## REMAND INSTRUCTIONS

Remand solely for issuance of a nunc pro tunc sentencing journal entry that adequately reflects the maximum prison term imposed under the Reagan Tokes Law and for execution of the sentence.

## CASES CITED

- State v. Simmons, 2013-Ohio-1789, ¶ 18 (8th Dist.)
- State v. Frazier, 2012-Ohio-1198, ¶ 17 (8th Dist.)
- Johnson v. Abdullah, 2021-Ohio-3304, ¶ 35
- State v. Bahner, 2025-Ohio-5230, ¶ 30 (8th Dist.)
- State v. Calhoun, 2017-Ohio-8488, ¶ 34 (8th Dist.)
- State v. Wilkinson, 2014-Ohio-5791 (8th Dist.)
- State v. McInnes, 2026-Ohio-734, ¶ 61 (8th Dist.)
- State v. Rogers, 2015-Ohio-2459, ¶ 3
- State v. Mosby, 2024-Ohio-5210, ¶ 24 (8th Dist.)
- State v. Barnes, 2020-Ohio-3184, ¶ 23
- State v. Long, 53 Ohio St.2d 91 (1978), paragraph three of the syllabus
- Eastley v. Volkman, 2012-Ohio-2179, ¶ 12
- State v. Thompkins, 1997-Ohio-52, ¶¶ 24-25
- State v. Travis, 2022-Ohio-1233, ¶ 28 (8th Dist.)

- State v. Crenshaw, 2020-Ohio-4922, ¶ 243 (8th Dist.)
- United States v. Powell, 469 U.S. 57, 67 (1981)
- McDonald v. Pless, 238 U.S. 264 (1915)
- State v. Lucas, 2024-Ohio-842, ¶ 49 (8th Dist.)
- State v. Harder, 2023-Ohio-2384, ¶ 25
- State v. Ramos, 2016-Ohio-7685, ¶ 14 (8th Dist.)
- State v. Bollar, 2022-Ohio-4370, ¶¶ 12, 19, 21

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