

OHIO COURT OF APPEALS, FIFTH APPELLATE DISTRICT, LICKING
COUNTY

State v. Maynard

2025-Ohio-5379 · No. 2025 CA 00024 · Decided December 1, 2025

SUMMARY

The Ohio Fifth District Court of Appeals affirmed Dana L. Maynard’s convictions for operating a vehicle under the influence of alcohol and obstructing official business. The court held that circumstantial evidence sufficiently established vehicle operation while intoxicated and that Maynard’s resistance to a court-authorized blood draw impeded official duties; the State’s cross-appeal concerning severance and exclusion of blood-test results was dismissed as moot.

CASE DETAILS

COURT	Ohio Court of Appeals, Fifth Appellate District, Licking County
WRITING FOR THE COURT	David M. Gormley; William B. Hoffman; Kevin W. Popham
JURISDICTION	Ohio Fifth District Court of Appeals, Licking County
DECIDED	December 1, 2025
DOCKET	2025 CA 00024
DISPOSITION	affirmed
PROCEDURAL POSTURE	Maynard appealed his convictions for operating a vehicle under the influence of alcohol and obstructing official business, while the State cross-appealed pretrial rulings concerning severance of the OVI counts and exclusion of blood-test results.
STANDARD OF REVIEW	For sufficiency of the evidence, the appellate court views the evidence in the light most favorable to the prosecution and asks whether any rational trier of fact could have found the essential elements proven beyond a reasonable doubt. A verdict will not be disturbed unless reasonable minds could not reach the trier of fact's conclusion. The mootness determination is jurisdictional.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Dana L. Maynard v. State of Ohio

TOPICS

criminal procedure

evidence

standard of review

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether sufficient evidence supported Maynard's conviction for operating a vehicle under the influence of alcohol under R.C. 4511.19(A)(1)(a), including evidence that he operated the vehicle while under the influence.
2. Whether sufficient evidence supported Maynard's conviction for obstructing official business under R.C. 2921.31(A), including evidence that his conduct actually hampered or impeded officials executing a blood-draw warrant.
3. Whether the State's cross-appeal challenging severance of the OVI counts and exclusion of the blood-test results presented a live controversy after Maynard's convictions were affirmed.

HOLDINGS

1. The State presented sufficient evidence for a rational trier of fact to find beyond a reasonable doubt that Maynard operated the vehicle while under the influence of alcohol.
2. The State presented sufficient evidence that Maynard, without privilege and with the requisite purpose, actually interfered with and made more difficult the execution of a lawful blood-draw warrant, thereby obstructing official business under R.C. 2921.31(A).
3. The State's cross-appeal concerning severance of the OVI counts and exclusion of the blood-test results was moot because no ruling could provide the State a more favorable outcome after Maynard's convictions were affirmed.

KEY QUOTATIONS

“The relevant inquiry is whether, after viewing the evidence in the 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.” (¶ 10)

“When the state relies on circumstantial evidence to prove an essential element of the offense charged, there is no need for such evidence to be irreconcilable with any reasonable theory of innocence in order to support a conviction.” (¶ 20)

“To convict a defendant of obstructing official business, the state does not need to prove that the defendant successfully prevented an officer from performing his or her official duties; rather, the state need only introduce evidence demonstrating the defendant ‘actually interfered with the performance of an official duty and made it more difficult.’” (¶ 28)

“An appeal is moot when a favorable judgment will not secure effective relief for the prevailing party” (¶ 35)

FACTUAL BACKGROUND

Maynard's vehicle was found stopped on Interstate 70 with its hazard lights on after it ran out of gas. His brother and a state trooper observed signs that Maynard was intoxicated, including slurred speech, poor balance, bloodshot eyes, lethargic movements, poor dexterity, and an odor of alcohol; the vehicle's warm engine and Maynard's statements supported the inference that he had driven it. After Maynard refused chemical testing, officers obtained a warrant for a blood draw, but Maynard physically resisted while a phlebotomist attempted to obtain the sample, substantially delaying the procedure.

PROCEDURAL HISTORY

Maynard was indicted on an OVI charge under R.C. 4511.19(A)(1)(a) and a charge of obstructing official business. A superseding indictment added a second OVI charge under R.C. 4511.19(A)(1)(f). The trial court severed the OVI counts, held a bench trial on the initial OVI and obstruction charges, found Maynard guilty of both, sentenced him to thirty-six months in prison on the OVI charge and a concurrent thirty-day jail term on the obstruction charge, and the State dismissed the high-test OVI charge. Maynard appealed his convictions, and the State cross-appealed the severance and blood-test rulings; the Fifth District affirmed and held the State's cross-appeal moot.

DISPOSITION

affirmed

CASES CITED

- State v. Pountney, 2018-Ohio-22, ¶ 19
- State v. Jenks, 61 Ohio St.3d 259 (1991)
- State v. Howell, 2020-Ohio-174, ¶ 28 (5th Dist.)
- State v. Dennis, 79 Ohio St.3d 421, 430 (1997)
- State v. Anthony, 2016-Ohio-2905, ¶¶ 21, 23 (5th Dist.)
- State v. Breucker, 2021-Ohio-31, ¶ 10 (9th Dist.)
- State v. Wayman, 2019-Ohio-1194, ¶ 19 (12th Dist.)
- State v. Schultz, 2008-Ohio-4448, ¶ 25 (8th Dist.)
- State v. Cummings, 2024-Ohio-6106, ¶ 23 (10th Dist.)
- State v. Herrera, 2022-Ohio-4769, ¶ 26 (6th Dist.)
- State v. Wellman, 2007-Ohio-2953, ¶¶ 12, 18 (1st Dist.)
- In re Payne, 2005-Ohio-4849, ¶ 15 (1st Dist.)
- State v. Hardin, 16 Ohio App.3d 243, 245 (10th Dist. 1984)
- State v. Alexander, 2017-Ohio-5507, ¶ 21 (12th Dist.)
- State v. Standifer, 2012-Ohio-3132, ¶ 28 (12th Dist.)
- State v. Santiago, 2016-Ohio-547, ¶ 18 (12th Dist.)
- State v. Grooms, 2005-Ohio-706, ¶ 21 (10th Dist.)
- State v. Overholt, 1999 WL 635717, *4 (9th Dist. Aug. 18, 1999)

- State v. Gordon, 9 Ohio App.3d 184, 188 (1st Dist. 1983)
- Maurent v. Spatny, 2025-Ohio-5002, ¶ 2
- Matter of N.Q., 2024-Ohio-1296, ¶ 8 (2d Dist.)
- State v. White, 2024-Ohio-4654, ¶ 17 (1st Dist.)
- State v. S.B., 2024-Ohio-2080, ¶ 37 (10th Dist.)
- State ex rel. Morrison v. Beck Energy Corp., 2013-Ohio-356, ¶ 66 n.5 (9th Dist.)
- State ex rel. Casanova v. Lutz, 2023-Ohio-1225, ¶ 4
- M.R. v. Niesen, 2022-Ohio-1130, ¶ 12

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