

OHIO COURT OF APPEALS, FIFTH APPELLATE DISTRICT, COSHOCTON
COUNTY

State v. Neff

2026-Ohio-534 · No. 2025CA0018 · Decided February 17, 2026

SUMMARY

The Fifth District Court of Appeals of Ohio affirmed Kristin L. Neff’s conviction for endangering children under R.C. 2919.22(A). The court rejected challenges concerning prosecutorial misconduct, the admission of cell-phone data, marijuana-use evidence, intimate text messages, autopsy photographs, inference stacking, sufficiency and manifest weight of the evidence, and cumulative error. The court concluded that the challenged evidentiary issues were waived or did not constitute plain error.

CASE DETAILS

COURT	Ohio Court of Appeals, Fifth Appellate District, Coshocton County
WRITING FOR THE COURT	Craig R. Baldwin, Presiding Judge; Craig R. Baldwin; Kevin W. Popham; David M. Gormley
JURISDICTION	Ohio Court of Appeals, Fifth Appellate District, Coshocton County
DECIDED	February 17, 2026
DOCKET	2025CA0018
DISPOSITION	affirmed
PROCEDURAL POSTURE	Neff appealed her jury conviction for one count of felony child endangering under R.C. 2919.22(A), challenging prosecutorial conduct, evidentiary rulings, alleged inference stacking, the sufficiency and manifest weight of the evidence, and cumulative error.
STANDARD OF REVIEW	Prosecutorial-misconduct claims are reviewed under the framework of whether the conduct was improper and prejudicially affected substantial rights, with mixed questions reviewed de novo. Evidentiary rulings are reviewed for abuse of discretion. Because Neff failed to object at trial, the evidentiary claims were reviewed only for plain error. Sufficiency is reviewed by asking whether, viewing the evidence most favorably to the prosecution, any rational trier of fact could find the essential elements beyond a reasonable doubt. Manifest-weight review considers the entire record and whether the jury clearly lost its way and created a manifest miscarriage of justice.

PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion; precedential within the applicable Ohio appellate district subject to Ohio law governing appellate precedent.
PARTIES	Kristin L. Neff v. State of Ohio

TOPICS

prosecutorial misconduct evidence preservation of error appellate procedure

PRACTICE AREAS

criminal law criminal procedure evidence appellate practice

QUESTIONS PRESENTED

1. Whether the State engaged in prosecutorial misconduct by seeking to introduce intimate text messages and other evidence concerning Neff's activities and movements before G.Y.'s death.
2. Whether the trial court plainly erred or abused its discretion by admitting text messages, phone step data, evidence of marijuana use, and repeated use of autopsy photographs.
3. Whether the conviction was based on impermissible stacking of inferences.
4. Whether sufficient evidence supported the child-endangering conviction and whether the conviction was against the manifest weight of the evidence.
5. Whether the cumulative effect of alleged trial errors deprived Neff of a fair trial.

HOLDINGS

1. The State did not commit prosecutorial misconduct by filing a motion in limine seeking admission of intimate text messages and activity data because the evidence was offered to show Neff's fatigue, illness, distraction, and alleged inability to discharge her duty of care.
2. Neff's challenges to the admission of the text messages, step data, marijuana-use evidence, and autopsy photographs were waived except for plain-error review because she did not object when the evidence was offered at trial; the court found no plain error and no abuse of discretion.
3. The conviction was not based on impermissible stacking of inferences.
4. Sufficient evidence supported Neff's conviction under R.C. 2919.22(A), and the conviction was not against the manifest weight of the evidence.
5. The alleged errors, considered individually and cumulatively, did not deprive Neff of a fair trial.

KEY QUOTATIONS

“We find that the appellee did not engage in prosecutorial misconduct when it filed a Motion in Limine addressing the admissibility of intimate text messages between the appellant and her boyfriend, as the messages were proffered to establish the appellant’s fatigue, illness, and state of distraction, and her arguable inability to properly discharge her duty of care, protection, or support for G.Y. as a result.” (¶ 30)

“Thus, the appellant has waived all but plain error regarding the admissibility of evidence of her cell phone data, marijuana use, and autopsy photographs.” (¶ 34)

“We cannot say, after viewing the evidence in the light most favorable to the prosecution, that no rational trier of fact could have found the essential elements of the crime with which the appellant was charged beyond a reasonable doubt.” (¶ 49)

FACTUAL BACKGROUND

G.Y., a healthy fifteen-month-old child, was placed in Neff's care on August 10, 2021. Several hours later, G.Y. became unresponsive and was transported to a hospital, where she was pronounced dead. Medical experts testified that G.Y. suffered fatal blunt-force head trauma while in Neff's care, and the State introduced Neff's text messages, phone activity, step data, evidence of marijuana use, and autopsy photographs. The jury found Neff guilty of endangering children based on a violation of her duty of care, protection, or support.

PROCEDURAL HISTORY

Neff was indicted in the Coshocton County Court of Common Pleas and pleaded not guilty. Before trial, the court preliminarily permitted the State to present cell-phone data, text messages, step data, and marijuana-use evidence, and denied Neff's motion to exclude autopsy and life photographs. After a four-day jury trial, the jury found Neff guilty and the trial court sentenced her to thirty-six months in prison. The court of appeals affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Lee, 2024-Ohio-2044 (5th Dist.)
- State v. Lott, 51 Ohio St.3d 160, 555 N.E.2d 293 (1990)
- Darden v. Wainwright, 477 U.S. 168, 106 S.Ct. 2464, 91 L.Ed.2d 144 (1986)
- State v. Treesh, 90 Ohio St.3d 460, 739 N.E.2d 749 (2001)
- State v. Newton, 108 Ohio St.3d 13, 840 N.E.2d 593 (2006)
- State v. Keenan, 66 Ohio St.3d 402, 613 N.E.2d 203 (1993)
- State v. Smith, 14 Ohio St.3d 13, 470 N.E.2d 883 (1984)
- State v. Hicks, 194 Ohio App.3d 743, 957 N.E.2d 866 (8th Dist. 2011)
- State v. Razey, 2023-Ohio-4190 (5th Dist.)
- Est. of Johnson v. Randall Smith, Inc., 2013-Ohio-1507
- State v. Hancock, 2006-Ohio-160
- State v. Lipkins, 2023-Ohio-1192 (5th Dist.)
- State v. Brown, 38 Ohio St.3d 305, 528 N.E.2d 523 (1988)
- State v. Joseph, 2017-Ohio-588 (5th Dist.)
- State v. Long, 53 Ohio St.2d 91, 372 N.E.2d 804 (1978)

- State v. Guffie, 2024-Ohio-2163 (8th Dist.)
- State v. Jones, State v. Jones, 2020-Ohio-3367 (8th Dist.)
- State v. Knott, 2025-Ohio-5745 (4th Dist.)
- State v. Greeno, 2021-Ohio-1372
- State v. Cowans, 87 Ohio St.3d 68, 717 N.E.2d 298 (1999)
- Hurt v. Charles J. Rogers Transp. Co., 164 Ohio St. 329, 130 N.E.2d 820 (1955)
- Donaldson v. N. Trading Co., 82 Ohio App.3d 476, 612 N.E.2d 754 (10th Dist. 1992)
- Motorists Mut. Ins. Co. v. Hamilton Twp. Trustees, 28 Ohio St.3d 13, 502 N.E.2d 204 (1986)
- State v. Niles, 2004-Ohio-119 (5th Dist.)
- State v. Cooper, 147 Ohio App.3d 116, 768 N.E.2d 1223 (2002)
- State v. Jacks, 63 Ohio App.3d 200, 578 N.E.2d 512 (1989)
- State v. Eden, 2020-Ohio-2900 (5th Dist.)
- State v. Worley, 2021-Ohio-2207
- State v. Jenks, 61 Ohio St.3d 259, 574 N.E.2d 492 (1991)
- State v. Smith, 80 Ohio St.3d 89, 684 N.E.2d 668 (1997)
- State v. Lang, 129 Ohio St.3d 512, 954 N.E.2d 596 (2011)
- State v. Thompkins, 78 Ohio St.3d 380 (1997)
- Tibbs v. Florida, 457 U.S. 31 (1982)
- State v. Martin, 20 Ohio App.3d 172, 485 N.E.2d 717 (1983)
- Seasons Coal Co., Inc. v. Cleveland, 10 Ohio St.3d 77 (1984)
- State v. Gaver, 2016-Ohio-7055 (5th Dist.)
- State v. McGee, 79 Ohio St.3d 193, 680 N.E.2d 975 (1997)
- State v. Powell, 2012-Ohio-2577
- State v. DeMarco, 31 Ohio St.3d 191, 509 N.E.2d 1256 (1987)
- State v. Hunter, 131 Ohio St.3d 67, 960 N.E.2d 955 (2011)