

COURT OF APPEALS OF OHIO, THIRD APPELLATE DISTRICT, MARION
COUNTY

State v. Smith

2025-Ohio-5784 · No. 9-24-53 · Decided December 29, 2025

SUMMARY

The Ohio Third District Court of Appeals affirmed Robert Lee Smith’s conviction and sentence for first-degree-felony trafficking in cocaine. The court rejected Smith’s arguments that the evidence was legally insufficient and that the conviction was against the manifest weight of the evidence, concluding that the State sufficiently established his identity as the seller through recorded calls, surveillance, and testimony.

CASE DETAILS

COURT	Court of Appeals of Ohio, Third Appellate District, Marion County
WRITING FOR THE COURT	Juergen A. Waldick, P.J.; William R. Zimmerman, J.; John R. Willamowski, J.
JURISDICTION	Ohio Court of Appeals, Third Appellate District, Marion County
DECIDED	December 29, 2025
DOCKET	9-24-53
DISPOSITION	affirmed
PROCEDURAL POSTURE	Smith appealed his jury conviction and sentence for first-degree-felony trafficking in cocaine, challenging the legal sufficiency and manifest weight of the evidence concerning his identity as the offender. The appeal was delayed and was granted by the Court of Appeals.
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 independently reviewed the entire record, weighed the evidence and reasonable inferences, considered witness credibility, and determined whether the jury clearly lost its way and created a manifest miscarriage of justice, while affording appropriate discretion to the factfinder on witness credibility.

PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Robert Lee Smith v. State of Ohio

TOPICS

evidence criminal procedure appellate procedure standard of review

PRACTICE AREAS

criminal law criminal procedure appellate evidence

QUESTIONS PRESENTED

1. Whether the evidence was legally sufficient to prove beyond a reasonable doubt that Smith was the person who trafficked the cocaine.
2. Whether the jury's finding that Smith was the offender was against the manifest weight of the evidence.

HOLDINGS

1. The evidence was legally sufficient because, when viewed in the light most favorable to the prosecution, a rational trier of fact could find beyond a reasonable doubt that Smith was the person who sold or offered to sell the cocaine.
2. The conviction was not against the manifest weight of the evidence because the jury did not clearly lose its way or create a manifest miscarriage of justice in finding that Smith was the offender.

KEY QUOTATIONS

“An appellate court’s function when reviewing the sufficiency of the evidence to support a criminal conviction is to examine the evidence admitted at trial to determine whether such evidence, if believed, would convince the average mind of the defendant’s guilt beyond a reasonable doubt.” (¶ 19)

“By contrast, when determining whether a verdict was against the manifest weight of the evidence, the appellate court sits as a “thirteenth juror” and examines the conflicting testimony.” (¶ 21)

“In sum, the identification of Smith as the person on the phone making arrangements to sell drugs to the C.I. over the course of five phone calls made just prior to the buy, combined with the undisputed evidence of Smith’s presence at 584 East George Street at the time of the controlled drug buy, amounts to sufficient evidence identifying Smith as the person who sold the \$1000.00 worth of cocaine to the C.I. in this case.” (¶ 31)

FACTUAL BACKGROUND

Law enforcement used a confidential informant to arrange and conduct a controlled purchase of approximately \$1,000 worth of cocaine at a Marion, Ohio residence. Investigators recorded calls and the transaction, and Detective Baldrige identified Smith's voice; surveillance evidence also placed Smith at the residence during the

transaction. The substance purchased by the informant weighed 27.67 grams and contained cocaine, and the marked buy money was later found inside the residence.

PROCEDURAL HISTORY

A Marion County grand jury indicted Smith on one count of trafficking in cocaine under R.C. 2925.03(A)(1) and (C)(4)(f). After a jury trial, Smith was found guilty and sentenced to an indefinite prison term with a ten-year mandatory minimum and a potential maximum of fifteen years. The trial court journalized the conviction and sentence on June 24, 2024; the appellate court granted Smith's motion for delayed appeal and affirmed.

DISPOSITION

affirmed

REMAND INSTRUCTIONS

The cause was remanded solely for execution of the appellate judgment for costs. The clerk was directed to certify the judgment entry and opinion to the trial court as the mandate under App.R. 27.

CASES CITED

- State v. Thompkins, 78 Ohio St.3d 380 (1997)
- State v. Jenks, 61 Ohio St. 3d 259 (1991)
- State v. Williams, 2024-Ohio-2307, ¶ 21
- State v. Jones, 2013-Ohio-4775, ¶ 33
- State v. Stewart, 2023-Ohio-253, ¶ 11
- State v. DeHass, 10 Ohio St.2d 230, 231 (1967)
- State v. Haller, 2012-Ohio-5233, ¶ 9 (3d Dist.)
- State v. Hunter, 2011-Ohio-6524, ¶ 119
- In re Winship, 397 U.S. 358, 364 (1970)
- State v. Tate, 2014-Ohio-3667, ¶ 15
- State v. Bell, 2025-Ohio-2489, ¶ 24 (3d Dist.)
- State v. Dunn, 2024-Ohio-5742, ¶ 32
- State v. Shockey, 2024-Ohio-296, ¶ 24 (3d Dist.)
- State v. Hooper, 2022-Ohio-2990, ¶ 29 (3d Dist.)