

OHIO COURT OF APPEALS, TWELFTH DISTRICT

State v. Davis

2026-Ohio-614 · No. CA2025-07-020 · Decided February 23, 2026

SUMMARY

The Twelfth District Court of Appeals of Ohio affirmed Zachary Davis's convictions for receiving stolen property after a no-contest plea. The court held that his statutory speedy-trial rights under Ohio Revised Code § 2941.401 were not violated because the 180-day period began when he delivered notice to the correctional institution's warden and was tolled by his unavailability and discovery-related delays.

CASE DETAILS

COURT	Ohio Court of Appeals, Twelfth District
WRITING FOR THE COURT	M. Powell; Matthew R. Byrne, P.J.; Robert A. Hendrickson, J.; Mike Powell, J.
JURISDICTION	Ohio Court of Appeals, Twelfth District
DECIDED	February 23, 2026
DOCKET	CA2025-07-020
DISPOSITION	affirmed
PROCEDURAL POSTURE	Davis appealed the denial of his motion to dismiss the indictment on statutory speedy-trial grounds after entering no-contest pleas to two counts of receiving stolen property and being sentenced.
STANDARD OF REVIEW	Speedy-trial issues present mixed questions of law and fact. The appellate court defers to factual findings supported by competent, credible evidence but independently reviews the application of law to those facts.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion; precedential within the applicable jurisdiction subject to later treatment.
PARTIES	Zachary Davis v. State of Ohio

TOPICS

- speedy trial
- criminal procedure
- statutory interpretation
- appellate procedure
- standard of review

PRACTICE AREAS

criminal procedure

appellate procedure

speedy-trial law

statutory interpretation

QUESTIONS PRESENTED

1. Whether the 180-day speedy-trial period under R.C. 2941.401 began when Davis delivered his notice and request for final disposition to the prison warden or when the request was received by the county clerk.
2. Whether periods during which Davis was unavailable for arraignment or trial, and periods attributable to his discovery motion and failure to respond to reciprocal discovery, tolled the 180-day period under R.C. 2945.72.
3. Whether R.C. 2945.72, including its continuance provision, applies to the speedy-trial period established by R.C. 2941.401, and whether those statutes are irreconcilable under R.C. 1.51.
4. Whether the trial court erred in denying Davis's motion to dismiss the indictment for violation of his statutory speedy-trial right.

HOLDINGS

1. The 180-day speedy-trial period begins when an imprisoned defendant delivers written notice of the place of imprisonment and a request for final disposition to the warden of the institution, not when the notice is later received by the prosecuting attorney or court clerk.
2. The tolling provisions of R.C. 2945.72 apply to the 180-day speedy-trial period under R.C. 2941.401.
3. The speedy-trial period was tolled for 56 days by Davis's discovery request and failure to respond to reciprocal discovery, and for 140 days while he was unavailable for hearing or trial despite diligent efforts to secure his appearance.
4. R.C. 2941.401 and R.C. 2945.72(H) are not irreconcilable, and R.C. 2945.72(H) may apply even though R.C. 2941.401 requires the prisoner or counsel to be present for a continuance granted under that statute.

KEY QUOTATIONS

“A prisoner satisfies the ‘causes to be delivered’ requirement in R.C. 2941.401, and therefore starts the 180-day speedy-trial clock by providing written notice of the place of his imprisonment and a request for final disposition to the warden of the institution where he is incarcerated, even if the warden fails to deliver the notice and request to the prosecuting attorney or the appropriate court.” (¶ 16)

“R.C. 2941.401 provides a timeline and R.C. 2945.72 prescribes how the timeline can be extended.” (¶ 30)

“In light of the foregoing, we find that appellant's right to a speedy trial pursuant to R.C. 2941.401 was not violated, and the trial court therefore did not err in denying appellant's motion to dismiss the Indictment.” (¶ 31)

FACTUAL BACKGROUND

Davis was indicted on September 27, 2024, while incarcerated at the Chillicothe Correctional Institution on another case. On October 9, 2024, he delivered to the institution's warden written notice of his imprisonment and a request for final disposition under R.C. 2941.401. His arraignment was repeatedly delayed because he was unavailable for transport while involved in an unrelated Jackson County matter, although the State and trial court made diligent efforts to secure his appearance. After his April 7, 2025 arraignment, Davis sought discovery but never responded to the State's reciprocal discovery request; he moved to dismiss on June 3, 2025, then entered no-contest pleas on June 30, 2025.

PROCEDURAL HISTORY

Davis was indicted in the Fayette County Court of Common Pleas while incarcerated on an unrelated matter. He requested final disposition under R.C. 2941.401, was eventually arraigned, and later moved to dismiss the indictment for failure to bring him to trial within 180 days. The trial court denied the motion, Davis entered no-contest pleas, and the court convicted and sentenced him to consecutive prison terms. The Court of Appeals affirmed.

DISPOSITION

affirmed

REMAND INSTRUCTIONS

The court ordered that a mandate issue to the Fayette County Court of Common Pleas for execution upon the judgment. No substantive remand instructions were given.

CASES CITED

- State v. Murphy, 2007-Ohio-2068, ¶¶ 11, 14-16 (12th Dist.)
- State v. Baker, 1997-Ohio-229, ¶ 8
- State v. McKinney, 2021-Ohio-3870, ¶ 14 (12th Dist.)
- State v. Williams, 2023-Ohio-3647, ¶¶ 1, 18
- State v. Taylor, 2011-Ohio-1001, ¶ 15 (7th Dist.)
- State v. Ray, 2005-Ohio-2771, ¶¶ 29-30 (2d Dist.)
- State v. Colon, 2010-Ohio-2326, ¶¶ 32-38 (5th Dist.)
- State v. Ervin, 2021-Ohio-47, ¶ 20 (4th Dist.)
- State v. Smith, 140 Ohio App.3d 81, 2000-Ohio-1777 (3d Dist.)
- State v. Knox, 102 Ohio App.3d 147, 149 (9th Dist. 1995)
- Mechanical Contractors Assn. v. State, 64 Ohio St.2d 192, 196 (1980)
- State v. Roberts, 2004-Ohio-5509, ¶ 11 (6th Dist.)