

OHIO COURT OF APPEALS, NINTH JUDICIAL DISTRICT

State v. Ibn-Ford

2026-Ohio-643 · No. 31561 · Decided February 25, 2026

SUMMARY

The Ninth District Court of Appeals of Ohio affirmed the Summit County Court of Common Pleas' denial of Khalid Haqq Ibn-Ford's motion to vacate his convictions. The court construed the motion as a petition for post-conviction relief, held that it was untimely under R.C. 2953.21(A)(2), and concluded that Ibn-Ford failed to satisfy the exceptions for an untimely or successive petition under R.C. 2953.23(A)(1).

CASE DETAILS

COURT	Ohio Court of Appeals, Ninth Judicial District
WRITING FOR THE COURT	Donna J. Carr; Stevenson, P.J.; Sutton, J.
JURISDICTION	Ohio Court of Appeals, Ninth Judicial District
DECIDED	February 25, 2026
DOCKET	31561
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the Summit County Court of Common Pleas's denial of a motion to vacate a void conviction, construed by the Court of Appeals as a petition for post-conviction relief.
STANDARD OF REVIEW	The appellate court reviewed whether the trial court had authority to consider the motion, applying the statutory requirements governing untimely or successive petitions for post-conviction relief.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Khalid Haqq Ibn-Ford v. State of Ohio

TOPICS

- state post-conviction relief
- post-conviction relief
- appellate procedure
- due process

PRACTICE AREAS

- criminal procedure
- post-conviction relief
- appellate procedure
- constitutional law

QUESTIONS PRESENTED

1. Whether the trial court properly construed Ibn-Ford's vaguely titled motion to vacate a void conviction as a petition for post-conviction relief.
2. Whether the trial court had authority under R.C. 2953.23(A)(1) to consider Ibn-Ford's untimely or successive post-conviction petition.
3. Whether the trial court erred in denying the claims concerning hybrid representation and ineffective assistance of counsel in plea negotiations.

HOLDINGS

1. A vaguely titled motion filed after a direct appeal that alleges constitutional violations, seeks to render the judgment void or voidable, and requests that the judgment and sentence be vacated may be treated as a petition for post-conviction relief. Ibn-Ford's motion was properly construed in that manner.
2. The trial court lacked authority to consider Ibn-Ford's untimely petition for post-conviction relief because he did not allege that he was unavoidably prevented from discovering the facts supporting his claims or that the United States Supreme Court had recognized a new retroactive right applicable to his case, and he did not satisfy the additional statutory requirement concerning constitutional error and the absence of a reasonable finding of guilt.

KEY QUOTATIONS

“A vaguely titled motion, including a motion to correct or vacate a judgment or sentence, may be treated as a petition for postconviction relief under R.C. 2953.21(A)(1) when the motion was filed after a direct appeal, alleged a denial of constitutional rights, sought to render the judgment void or voidable, and requested that the judgment and sentence be vacated.” (¶ 6)

FACTUAL BACKGROUND

In 2012, Ibn-Ford was convicted of rape with a repeat violent offender specification and additional offenses and was sentenced to 21 years in prison. After a direct appeal and several later challenges to his sentence, he filed a May 20, 2025 motion to vacate his convictions, alleging constitutional violations during the trial proceedings. The motion was filed nearly twelve years after the trial transcript was filed in his direct appeal.

PROCEDURAL HISTORY

Ibn-Ford was convicted in 2012 and received a 21-year prison sentence. His direct appeal resulted in affirmance except as to court costs, and later challenges to the repeat violent offender specification and sentence were unsuccessful. In May 2025, he filed a motion to vacate his convictions based on alleged constitutional violations; the trial court denied it for lack of authority to consider the motion. The Ninth District affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Ibn-Ford, 2013-Ohio-2172, ¶¶ 75-78, 82 (9th Dist.)
- State v. Ibn-Ford, 2015-Ohio-753, ¶ 12 (9th Dist.)
- State v. Powell, 2025-Ohio-2385, ¶ 8 (9th Dist.)
- State v. Wright, 2022-Ohio-366, ¶ 12 (9th Dist.)
- State v. Apanovitch, 2018-Ohio-4744, ¶ 22

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