

COURT OF APPEALS OF OHIO, FIRST APPELLATE DISTRICT, HAMILTON COUNTY

State v. Tucker

2026-Ohio-2066 · No. C-250271 · Decided June 3, 2026

SUMMARY

The Ohio First District Court of Appeals affirmed Thaddeus Tucker's conviction for gross sexual imposition under R.C. 2907.05(A)(1). The court held that the evidence was sufficient for a reasonable factfinder to infer that Tucker's touching of the victim's thigh and breast was for sexual arousal or gratification, and that the conviction was not against the manifest weight of the evidence.

CASE DETAILS

COURT	Court of Appeals of Ohio, First Appellate District, Hamilton County
WRITING FOR THE COURT	Bock, Judge; Kinsley, Presiding Judge; Zayas, Judge
JURISDICTION	Ohio Court of Appeals, First Appellate District, Hamilton County
DECIDED	June 3, 2026
DOCKET	C-250271
DISPOSITION	affirmed
PROCEDURAL POSTURE	Tucker appealed his conviction for gross sexual imposition, challenging the sufficiency and manifest weight of the evidence.
STANDARD OF REVIEW	For sufficiency of the evidence, the court viewed the evidence in the light most favorable to the State and asked whether a rational trier of fact could find every element of the offense proven beyond a reasonable doubt. For manifest weight, the court independently reviewed the record, including witness credibility, to determine whether the trier of fact clearly lost its way and created a manifest miscarriage of justice, while giving substantial deference to the trial court's credibility determinations.
PRECEDENTIAL VALUE	Published Ohio appellate opinion
PARTIES	Thaddeus Tucker v. State of Ohio

TOPICS

- criminal procedure
- evidence
- standard of review
- appellate procedure

PRACTICE AREAS

Criminal law

Criminal procedure

Appellate practice

QUESTIONS PRESENTED

1. Whether the evidence was sufficient to prove that Tucker purposely engaged in sexual contact with Y.P. for the purpose of sexual arousal or gratification.
2. Whether Tucker's conviction for gross sexual imposition was against the manifest weight of the evidence.

HOLDINGS

1. The evidence was sufficient to prove the sexual-contact element of gross sexual imposition because a reasonable trier of fact could infer that Tucker touched Y.P.'s thigh and breast for the purpose of sexual arousal or gratification.
2. Tucker's conviction was not contrary to the manifest weight of the evidence.

KEY QUOTATIONS

“In a sufficiency-of-the-evidence review, we view the evidence in a light most favorable to the State and must determine whether a rational trier of fact could have found that the evidence proved every element of the offense beyond a reasonable doubt.” (¶ 16)

“But a manifest-weight review does not demand absolute deference; instead, it requires us to “consider the credibility of the witnesses” as part of our review of the record.” (¶ 24)

FACTUAL BACKGROUND

Y.P. testified that Tucker drove her to her apartment after she had consumed alcohol and marijuana, then locked the car doors, grabbed her purse, struck her, and engaged in a struggle. She testified that Tucker held or groped her breasts and bit her thigh, and the State introduced a photograph of the bite mark. Although the security footage and portions of Y.P.'s testimony were inconsistent, the trial court found her credible and convicted Tucker of gross sexual imposition.

PROCEDURAL HISTORY

The State charged Tucker with gross sexual imposition under R.C. 2907.05(A)(1) and robbery under R.C. 2911.02(A)(2). The Hamilton County Court of Common Pleas found Tucker guilty of gross sexual imposition and not guilty of robbery. Tucker appealed, and the First District affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Johnson, 2008-Ohio-705, ¶ 15 (1st Dist.)

- State v. Waddy, 63 Ohio St. 3d 424, 430 (1992)
- State v. Dunlap, 2011-Ohio-4111, ¶ 25
- State v. Mack, 2006-Ohio-6284, ¶ 9 (1st Dist.)
- State v. Alanani, 2024-Ohio-5660, ¶ 17 (1st Dist.)
- State v. Hodgkin, 2019-Ohio-1686, ¶ 10 (1st Dist.)
- State v. Armstead, 2021-Ohio-4000, ¶ 14 (1st Dist.)
- Carroll v. Trump, 660 F. Supp. 3d 196, 205 (S.D.N.Y. 2023)
- Blatt v. Pambakian, 2021 U.S. App. LEXIS 29015, *2-3 (9th Cir. Sept. 24, 2021)
- State v. Benson, 2019-Ohio-3255, ¶ 38 (1st Dist.)
- State v. Thompkins, 78 Ohio St. 3d 380, 387 (1997)
- State v. Beauchamp, 2022-Ohio-738, ¶ 13 (1st Dist.)
- State v. Rose, 2024-Ohio-5689, ¶ 24 (1st Dist.)
- State v. Barnes, 2017-Ohio-383, ¶ 1 (8th Dist.)
- State v. Clark, 101 Ohio App. 3d 389, 408 (8th Dist. 1995)
- State v. Campbell, 2026-Ohio-334, ¶ 48 (5th Dist.)
- State v. Dyke, 2002-Ohio-1152, ¶ 13 (7th Dist.)