

OHIO COURT OF APPEALS, THIRD APPELLATE DISTRICT, MARION
COUNTY

State v. Allen

2026-Ohio-884 · No. 9-25-21 · Decided March 16, 2026

SUMMARY

The Ohio Third District Court of Appeals reviewed Jalen Arthur-Darnell Allen’s convictions for engaging in a pattern of corrupt activity and trafficking in fentanyl-related compounds. The court affirmed the convictions but reversed aspects of sentencing, holding that the trial court improperly ordered a de facto forfeiture of seized funds, failed to properly determine indigency before imposing a mandatory fine, and failed to make the required proportionality finding for consecutive sentences. The case was remanded for further sentencing proceedings.

CASE DETAILS

COURT	Ohio Court of Appeals, Third Appellate District, Marion County
WRITING FOR THE COURT	Juergen A. Waldick; Mark C. Miller; John R. Willamowski
JURISDICTION	Ohio Court of Appeals, Third Appellate District, Marion County
DECIDED	March 16, 2026
DOCKET	9-25-21
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Allen appealed his jury convictions and aggregate prison sentence from the Marion County Common Pleas Court, challenging the sufficiency and manifest weight of the evidence, the treatment of seized funds as forfeited, the mandatory fine, and consecutive sentences.
STANDARD OF REVIEW	Sufficiency of the evidence is reviewed by viewing the evidence in the light most favorable to the prosecution and asking whether any rational trier of fact could have found the essential elements proven beyond a reasonable doubt; credibility and evidentiary conflicts are reserved for the trier of fact. Manifest-weight review requires examination of the entire record, weighing the evidence and reasonable inferences, considering witness credibility, and determining whether the factfinder clearly lost its way and created a manifest miscarriage of justice. Consecutive sentences are reviewed for

	compliance with the statutory findings required by R.C. 2929.14(C)(4).
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Jalen Arthur-Darnell Allen v. State of Ohio

TOPICS

criminal procedure evidence appellate procedure sentencing forfeiture

PRACTICE AREAS

criminal law criminal procedure appellate sentencing

QUESTIONS PRESENTED

1. Whether sufficient evidence supported Allen's convictions for engaging in a pattern of corrupt activity and trafficking in a fentanyl-related compound.
2. Whether the convictions were against the manifest weight of the evidence because they depended substantially on the confidential informant's credibility.
3. Whether the trial court unlawfully ordered seized funds to be forfeited or applied toward Allen's fine after the State dismissed the forfeiture specifications and the jury made no forfeiture determination.
4. Whether the trial court properly imposed a mandatory fine after Allen filed an affidavit of indigency.
5. Whether the trial court made all findings required by R.C. 2929.14(C)(4) before imposing consecutive sentences.

HOLDINGS

1. The evidence was sufficient to establish an enterprise and a pattern of corrupt activity because Allen and Jajuan worked together for the common purpose of selling drugs and the evidence showed three separate drug transactions.
2. The evidence was sufficient to support Allen's trafficking convictions, including the first sale under a complicity theory.
3. Allen's convictions were not against the manifest weight of the evidence.
4. The trial court erred by ordering a de facto forfeiture of seized funds after the State dismissed the forfeiture specifications and the jury did not determine that the funds were subject to forfeiture.
5. The trial court erred by imposing the mandatory fine without clearly determining whether Allen was indigent and unable to pay it.
6. The trial court erred by imposing consecutive sentences without making the required proportionality finding at the sentencing hearing.

KEY QUOTATIONS

“The trier of fact shall determine whether the property is subject to forfeiture.” (¶ 32)

“A mandatory fine is a criminal sanction that must be imposed unless two conditions are met: 1) the offender files an affidavit of indigency; and 2) the trial court determines that the offender is indigent.” (¶ 37)

“Based on the statute, in order to impose consecutive sentences, a trial court must make three findings: (1) consecutive sentences are necessary to either protect the public or punish the offender; (2) the sentences would not be disproportionate to the offense committed; and (3) one of the factors in R.C. 2929.14(C)(4)(a), (b), or (c) applies.” (¶ 43)

FACTUAL BACKGROUND

A confidential informant conducted three controlled purchases of fentanyl involving Allen and his cousin, Jajuan, on July 31, August 9, and August 21, 2024. Allen was present during the first transaction and personally completed the second and third transactions after Jajuan directed the informant to meet with Allen. Allen was arrested two days after the final transaction with \$1,720 of the documented buy money in his possession. The jury convicted him of engaging in a pattern of corrupt activity and three trafficking offenses, with the possession offenses merged for sentencing.

PROCEDURAL HISTORY

Allen was indicted for engaging in a pattern of corrupt activity, three counts of trafficking in a fentanyl-related compound, and three counts of possession of a fentanyl-related compound. After the cases against Allen and his cousin were joined for trial, a jury convicted Allen on all counts. The State dismissed the forfeiture specifications before submission to the jury, and the trial court merged the possession counts into the trafficking counts for sentencing, imposed a \$10,000 mandatory fine, treated seized funds as forfeited toward the fine, and imposed an aggregate indefinite prison term of 15 years to 20 and one-half years. The appellate court affirmed the convictions but reversed the forfeiture and sentencing rulings and remanded.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Remand for further proceedings, including a new sentencing hearing. The trial court must determine whether Allen is indigent and unable to pay any mandatory fine, must not impose a forfeiture absent compliance with the statutory forfeiture procedures, and must make all findings required by R.C. 2929.14(C)(4) before imposing consecutive sentences.

CASES CITED

- State v. Jenks, 61 Ohio St.3d 259 (1981)
- State v. Jones, 2013-Ohio-4775, ¶ 33 (1st Dist.)
- State v. Berry, 2013-Ohio-2380, ¶ 19 (3d Dist.)
- State v. Beverly, 2015-Ohio-219, ¶ 9

- State v. Thomas, 2025-Ohio-1321, ¶ 22
- State v. Thompson, 78 Ohio St.3d 380, 387 (1997)
- State v. Haller, 2012-Ohio-5233, ¶ 9 (3d Dist.)
- State v. Hunter, 2011-Ohio-6524, ¶ 119
- State v. Williams, 2024-Ohio-2307, ¶ 27 (3d Dist.)
- State v. Shockey, 2024-Ohio-296, ¶ 24 (3d Dist.)
- State v. Hooper, 2022-Ohio-2990, ¶ 29 (3d Dist.)
- State v. Abston, 2022-Ohio-884, ¶¶ 39-40 (3d Dist.)
- State v. Harbut, 2024-Ohio-4811, ¶ 69 (2d Dist.)
- State v. Allen, 2025-Ohio-5785, ¶¶ 3-9 (3d Dist.)
- State v. Moore, 2012-Ohio-5479, 135 Ohio St.3d 151, ¶ 13
- State v. Gamble, 2018-Ohio-895, ¶ 23 (3d Dist.)
- State v. Nienberg, 2017-Ohio-2920, ¶ 17 (3d Dist.)
- State v. Bonnell, 2014-Ohio-3177