

OHIO COURT OF APPEALS, ELEVENTH APPELLATE DISTRICT

State of Ohio, City of Wickliffe v. Derek W. Tigner

2026-Ohio-519 · No. 2025-L-092 · Decided February 17, 2026

SUMMARY

The Ohio Eleventh District Court of Appeals affirmed the Willoughby Municipal Court’s judgment convicting Derek W. Tigner of failing to stop at a stop sign and failing to display a valid driver’s license. The court held that Tigner’s challenge to the magistrate’s factual findings failed because he did not provide the trial court with a transcript or affidavit of the evidence submitted to the magistrate. The court also concluded that his appeal was timely and that his argument concerning delayed filing lacked a factual or legal basis.

CASE DETAILS

COURT	Ohio Court of Appeals, Eleventh Appellate District
WRITING FOR THE COURT	Matt Lynch, P.J.; John J. Eklund, J.; Scott Lynch, J.
JURISDICTION	Ohio Court of Appeals, Eleventh Appellate District, Lake County
DECIDED	February 17, 2026
DOCKET	2025-L-092
DISPOSITION	affirmed
PROCEDURAL POSTURE	Tigner appealed from the Willoughby Municipal Court's judgment overruling his motion to reconsider and affirming the magistrate's decision convicting him of two minor misdemeanors.
STANDARD OF REVIEW	When an objecting party fails to provide the trial court with the evidence and documents necessary for an independent review of the magistrate's decision, appellate review is limited to whether the trial court abused its discretion in adopting the decision. Under that standard, the reviewing court may not substitute its judgment for that of the trial court.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Derek W. Tigner v. State of Ohio, City of Wickliffe

TOPICS

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

PRACTICE AREAS

criminal procedure

appellate procedure

municipal law

evidence

QUESTIONS PRESENTED

1. Whether the trial court erred in treating Tigner's motion to reconsider as objections to the magistrate's decision and overruling it when he failed to provide a transcript or affidavit of the evidence.
2. Whether the appellate court could review Tigner's challenge to the magistrate's factual findings based on evidence that was not included in the trial-court record.
3. Whether Tigner's appeal was untimely or otherwise warranted relief based on alleged filing confusion, incorrect clerk instructions, and a family emergency.

HOLDINGS

1. An objection challenging a magistrate's factual finding must be supported by a transcript of the relevant evidence or an affidavit of that evidence when a transcript is unavailable; the objecting party must also timely file the transcript or affidavit unless the court grants a written extension.
2. When the objecting party fails to provide the trial court with the evidence and documents needed for independent review, appellate review is limited to whether the trial court abused its discretion in adopting the magistrate's decision; the appellate court cannot review factual findings based on evidence outside the record.
3. The appeal was timely because Tigner filed his notice of appeal within thirty days of the trial court's final judgment.

KEY QUOTATIONS

"An objection to a factual finding, whether or not specifically designated as a finding of fact under Crim.R. 19(D)(3)(a)(ii), shall be supported by a transcript of all the evidence submitted to the magistrate relevant to that finding or an affidavit of that evidence if a transcript is not available." (§ 10)

"When a party objecting to a magistrate's decision has failed to provide the trial court with the evidence and documents by which the court could make a finding independent of the magistrate's decision, appellate review of the court's findings is limited to whether the trial court abused its discretion in adopting the magistrate's decision." (§ 12)

"Due to the lack of a transcript, 'we have no record of the evidence presented to the magistrate and the trial court . . . and we cannot review their factual findings.'" (§ 13)

FACTUAL BACKGROUND

The City of Wickliffe cited Tigner for failing to stop at a stop sign and failing to display a valid driver's license. Tigner pleaded not guilty and proceeded to a bench trial before a magistrate, who found him guilty of both minor misdemeanors. In seeking reconsideration, Tigner relied on dashcam, photographic, and video evidence from the bench trial but did not provide the trial court with a transcript or affidavit of the evidence.

PROCEDURAL HISTORY

The City of Wickliffe charged Tigner in the Willoughby Municipal Court with failing to stop at a stop sign and failing to display a valid driver's license. After a bench trial before a magistrate, Tigner was found guilty on both counts, and the trial court adopted the magistrate's decision. The trial court later treated Tigner's timely motion to reconsider as objections to the magistrate's decision, overruled the motion because no transcript had been filed and found no error apparent on the face of the decision. Tigner appealed, and the Eleventh District affirmed.

DISPOSITION

affirmed

CASES CITED

- State ex rel. Duncan v. Chippewa Twp. Trs., 73 Ohio St.3d 728 (1995)
- State v. Harrison, 2020-Ohio-3817, ¶ 18 (2d Dist.)
- State v. Williams, 2014-Ohio-3169, ¶ 11 (2d Dist.)
- Knapp v. Edwards Laboratories, 61 Ohio St.2d 197 (1980)
- State v. Ishmail, 54 Ohio St.2d 402 (1978)

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