

OHIO COURT OF APPEALS, TWELFTH APPELLATE DISTRICT, BUTLER COUNTY

State v. Tamang

2026-Ohio-2354 (12th Dist. 2026) · No. CA2025-10-111 · Decided June 22, 2026

SUMMARY

The Ohio Twelfth District Court of Appeals affirmed Tandi W. Tamang's convictions for rape, kidnapping, abduction, and gross sexual imposition. The court rejected challenges concerning exclusion of a recorded police interview and forensic report, the manifest weight of the evidence, and ineffective assistance of counsel. The court concluded that any assumed errors were harmless or did not prejudice Tamang.

CASE DETAILS

COURT	Ohio Court of Appeals, Twelfth Appellate District, Butler County
WRITING FOR THE COURT	Melena S. Siebert; Robert A. Hendrickson; Mike Powell
JURISDICTION	Ohio Court of Appeals, Twelfth Appellate District, Butler County
DECIDED	June 22, 2026
DOCKET	CA2025-10-111
DISPOSITION	affirmed
PROCEDURAL POSTURE	Tamang appealed his convictions and sentence for rape, kidnapping, abduction, and gross sexual imposition, challenging evidentiary rulings, the manifest weight of the evidence, and the effectiveness of trial counsel.
STANDARD OF REVIEW	Evidentiary rulings are reviewed for abuse of discretion and require prejudice before reversal. Sufficiency is reviewed to determine whether, viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could find the essential elements proven beyond a reasonable doubt. Manifest-weight review considers the entire record, weighs the evidence and credibility, and asks whether the jury clearly lost its way and created a manifest miscarriage of justice. Ineffective-assistance claims are governed by the two-part Strickland test.
PRECEDENTIAL VALUE	published and precedential Ohio Court of Appeals opinion

PARTIES

Tandi W. Tamang v. State of Ohio

TOPICS

criminal procedure

evidence

appellate procedure

standard of review

ineffective assistance

PRACTICE AREAS

criminal law

criminal procedure

appellate practice

QUESTIONS PRESENTED

1. Whether the trial court erred by excluding the recorded police interview and forensic rape-kit report.
2. Whether Tamang's convictions were against the manifest weight of the evidence.
3. Whether trial counsel was ineffective for failing to move to admit a diagram and for failing to pursue suppression of Tamang's statements to police.

HOLDINGS

1. The trial court did not commit reversible error concerning the recorded police interview because defense counsel never moved to admit the video, leaving the asserted error outside the appellate record.
2. Any assumed error in excluding the forensic report was harmless because the forensic examiner testified about the report's relevant contents.
3. Tamang's convictions were not against the manifest weight of the evidence because the inconsistencies did not show that the jury clearly lost its way or created a manifest miscarriage of justice.
4. Tamang did not establish ineffective assistance based on counsel's failure to move to admit the diagram because, even assuming deficient performance, he could not show prejudice.
5. Tamang did not establish ineffective assistance based on counsel's failure to pursue suppression of his statements because the asserted suppression claim was speculative and, in any event, Tamang could not show prejudice.

KEY QUOTATIONS

"[I]nconsistencies in the evidence alone do not mean that a decision is against the manifest weight of the evidence." (§ 21)

"Tamang's purported contradictions do not come close to demonstrating that the jury 'clearly lost its way and created such a manifest miscarriage of justice' that his conviction should be overturned." (§ 28)

"To establish ineffective assistance of counsel, a defendant must show (1) that counsel's performance was deficient, and (2) that counsel's deficient performance prejudiced the defendant." (§ 30)

FACTUAL BACKGROUND

Tamang and the victim, a 12-year-old girl identified as Jane, attended a late-night party where Tamang and others drank heavily. Jane testified that Tamang took her to his car, removed her pants, and vaginally penetrated her; her father and another witness found them largely unclothed in the car. A medical examination revealed an abrasion on Jane's labia, and Tamang acknowledged to police that he and Jane were in the backseat, that her pants were off, and that he kissed her, although he claimed not to remember what happened afterward. The defense relied on inconsistencies involving a diagram, witness testimony, and the circumstances of the police interview.

PROCEDURAL HISTORY

A Butler County Court of Common Pleas jury found Tamang guilty of rape, kidnapping, abduction, and gross sexual imposition. The trial court merged the abduction and gross sexual imposition offenses with the rape charge and imposed a mandatory prison term of 10 years to life for rape and a concurrent three-to-four-and-a-half-year term for kidnapping. The Twelfth District affirmed the judgment.

DISPOSITION

affirmed

CASES CITED

- State v. Cansler, 2025-Ohio-2558, ¶ 1, fn. 1 (12th Dist.)
- State v. Atkinson, 2010-Ohio-2825, ¶ 7 (12th Dist.)
- Bowman v. Leisz, 2014-Ohio-4763, ¶ 17 (12th Dist.)
- State v. Filiaggi, 86 Ohio St. 3d 230, 241 (1999)
- State v. Madden, 2024-Ohio-2851, ¶¶ 31-32 (12th Dist.)
- State v. Paul, 2012-Ohio-3205, ¶ 9 (12th Dist.)
- State v. Jenks, 61 Ohio St. 3d 259 (1991)
- State v. Smith, 1997-Ohio-355, ¶ 49, fn. 4
- State v. Barnett, 2012-Ohio-2372, ¶ 14 (12th Dist.)
- State v. Graham, 2009-Ohio-2814, ¶ 66 (12th Dist.)
- State v. Blankenburg, 2012-Ohio-1289, ¶ 114 (12th Dist.)
- State v. Deck, 2021-Ohio-3145, ¶ 21 (12th Dist.)
- State v. Zitney, 2021-Ohio-466, ¶ 15 (12th Dist.)
- State v. Billingsley, 2020-Ohio-2673, ¶ 15 (12th Dist.)
- State v. Jones, 2013-Ohio-150, ¶ 19 (12th Dist.)
- State v. Montgomery, 2025-Ohio-784, ¶ 33 (12th Dist.)
- Strickland v. Washington, 466 U.S. 668, 687-688, 694 (1984)
- State v. Lloyd, 2022-Ohio-4259, ¶ 31
- State v. Kinsworthy, 2014-Ohio-1584, ¶ 43 (12th Dist.)
- State v. Gray, 2023-Ohio-338, ¶ 52 (12th Dist.)

- State v. Clark, 38 Ohio St. 3d 252, 261 (1988)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/ohio-court-of-appeals-twelfth-appellate-district-butler-county-ohio-court-of-appeals-twelfth-appella/2026/state-v-tamang-qun24a5t>