

OHIO COURT OF APPEALS, FIFTH APPELLATE DISTRICT, MUSKINGUM COUNTY

State v. Worden

2026-Ohio-2444 (Ohio Ct. App. 5th Dist. 2026) · No. CT2025-0083; CT 2025-0084 · Decided June 24, 2026

SUMMARY

The Ohio Court of Appeals for the Fifth Appellate District affirmed Lovely Worden's convictions and aggregate prison sentence in two Muskingum County cases. The court held that the trial court properly made and supported the findings required by Ohio Revised Code section 2929.14(C)(4) for consecutive sentences. Because Worden did not object at sentencing, the appellate court reviewed her claim for plain error and found none.

CASE DETAILS

COURT	Ohio Court of Appeals, Fifth Appellate District, Muskingum County
WRITING FOR THE COURT	Andrew J. King; Craig R. Baldwin; David M. Gormley
JURISDICTION	Ohio Court of Appeals, Fifth Appellate District, Muskingum County
DECIDED	June 24, 2026
DOCKET	CT2025-0083; CT 2025-0084
DISPOSITION	affirmed
PROCEDURAL POSTURE	Lovely Worden appealed her convictions and sentences from the Muskingum County Court of Common Pleas, arguing that the trial court plainly erred by imposing consecutive sentences whose statutory findings were allegedly unsupported by the record.
STANDARD OF REVIEW	Under R.C. 2953.08(G)(2), the appellate court may modify or vacate a felony sentence if it clearly and convincingly finds that the record does not support the sentencing court's statutory findings or that the sentence is otherwise contrary to law. Because Worden did not object to the consecutive sentences below, the court reviewed for plain error.
PRECEDENTIAL VALUE	published
PARTIES	Lovely Worden v. State of Ohio

TOPICS

- sentencing
- criminal procedure
- appellate procedure
- standard of review
- preservation of error

PRACTICE AREAS

criminal law

criminal procedure

sentencing

QUESTIONS PRESENTED

1. Whether the trial court plainly erred by imposing consecutive sentences under R.C. 2929.14(C)(4) when the statutory consecutive-sentence findings were allegedly unsupported by the record.

HOLDINGS

1. The trial court's findings under R.C. 2929.14(C)(4) were supported by the record, and the consecutive sentences were not clearly and convincingly unsupported or otherwise contrary to law.
2. Worden failed to establish plain error warranting reversal because she did not show that the outcome would clearly have been different absent the claimed sentencing error.

KEY QUOTATIONS

“As long as the reviewing court can discern the trial court engaged in the correct analysis and can determine the record contains evidence to support the findings, consecutive sentences should be upheld.” (¶ 13)

“This court may not, however, weigh the evidence in the record and substitute its judgment for that of the trial court concerning a sentence that best reflects compliance with the overriding purposes of felony sentencing.” (¶ 16)

FACTUAL BACKGROUND

Worden was a passenger in a vehicle containing methamphetamine, a digital scale, and cash beneath the front passenger seat. In a separate incident, she recruited associates to retrieve her daughter from a residence and later returned with a shotgun after believing a man involved in the incident was responsible for assaulting her daughter. Worden attempted to fire at a person mistakenly believed to be that man, and a coconspirator shot the innocent victim, seriously injuring and permanently maiming him. Worden pleaded guilty to drug possession, attempted aggravated burglary, conspiracy to commit murder, and felonious assault with a firearm specification.

PROCEDURAL HISTORY

Worden pleaded guilty in two cases pursuant to plea negotiations. The trial court sentenced her to an aggregate prison term of 21.5 to 25 years, including consecutive sentences under R.C. 2929.14(C)(4). She appealed without objecting to the consecutive-sentence findings at sentencing, so the appellate court reviewed the claim for plain error and affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Marcum, 2016-Ohio-1002, ¶ 22

- State v. Howell, 2015-Ohio-4049, ¶ 31 (5th Dist.)
- State v. Bonnell, 2014-Ohio-3177, ¶¶ 16, 29
- State v. Gwynne, 2023-Ohio-3851, ¶ 5, 231 N.E.3d 1109
- Cross v. Ledford, 161 Ohio St. 469 (1954), paragraph three of the syllabus
- State v. Wilson, 2013-Ohio-1520, ¶ 8 (10th Dist.)
- State v. Long, 53 Ohio St.2d 91 (1978), paragraphs one through three of the syllabus
- State v. Jones, State v. Jones, 2020-Ohio-6729, paragraph one of the syllabus, ¶ 42

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