

OHIO FIRST DISTRICT COURT OF APPEALS

State v. Holman

2026-Ohio-1793 · No. C-250254 · Decided May 15, 2026

SUMMARY

The Ohio First District Court of Appeals affirmed Tyiwon Holman’s conviction for third-degree-misdemeanor sexual imposition. The court rejected challenges concerning the State’s voir dire statements, a Batson peremptory strike, exclusion of evidence concerning sexual abuse and male sexual-assault victims, and admission of a duplicate security-video recording. The opinion also concluded that the conviction was not against the manifest weight of the evidence.

CASE DETAILS

COURT	Ohio First District Court of Appeals
WRITING FOR THE COURT	Judge Bock; Presiding Judge Zayas; Judge Crouse
JURISDICTION	Ohio First District Court of Appeals, Hamilton County
DECIDED	May 15, 2026
DOCKET	C-250254
DISPOSITION	affirmed
PROCEDURAL POSTURE	Holman appealed his Hamilton County Municipal Court conviction for third-degree-misdemeanor sexual imposition, challenging jury selection, a Batson ruling, evidentiary exclusions, admission of a duplicate video recording, and the manifest weight of the evidence.
STANDARD OF REVIEW	The court reviewed the denial of a new venire and evidentiary rulings for abuse of discretion; the Batson ruling for clear error as to discriminatory intent; and the manifest-weight challenge by independently reviewing the record, weighing the evidence and credibility, and determining whether the jury clearly lost its way and created a manifest miscarriage of justice.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Tyiwon Holman v. State of Ohio

TOPICS

- jury selection
- evidence
- best evidence rule
- standard of review
- criminal procedure

PRACTICE AREAS

criminal law

criminal procedure

evidence

appellate procedure

QUESTIONS PRESENTED

1. Whether the State's description of the charged conduct during voir dire violated Crim.R. 24(A) and required a new venire.
2. Whether the State's peremptory strike of a prospective juror violated *Batson v. Kentucky*.
3. Whether the trial court improperly excluded evidence concerning Holman's history of sexual abuse and an officer's knowledge of male sexual-assault victims.
4. Whether the trial court improperly admitted a cell-phone recording of restaurant security footage under Ohio's best-evidence rules.
5. Whether Holman's sexual-imposition conviction was against the manifest weight of the evidence.

HOLDINGS

1. The trial court did not abuse its discretion in denying Holman's request for a new venire because Crim.R. 24(A) permits, but does not require, the trial court to introduce the case after consulting the parties, and it does not prohibit the parties from reasonably describing uncontested circumstances of the offense during voir dire to uncover juror bias.
2. The trial court did not clearly err in overruling Holman's *Batson* challenge because the State provided a facially race-neutral justification based on the prospective juror's prior criminal prosecution and police contact, and Holman did not establish purposeful racial discrimination.
3. The trial court did not abuse its discretion by excluding evidence concerning Holman's past sexual abuse and the officer's general knowledge of male sexual-assault victims because the State was required to prove the purpose of the contact, not that Holman actually experienced sexual gratification, and the evidence's probative value was substantially outweighed by the danger of unfair prejudice.
4. The trial court did not abuse its discretion in admitting the cell-phone recording of the security footage because it was an admissible duplicate, and Holman failed to show either an authenticity question or that admitting the duplicate instead of the original would be unfair.
5. Holman's conviction was not against the manifest weight of the evidence because the jury reasonably could find that he made sexual contact with H.H. for the purpose of sexual arousal or gratification.

KEY QUOTATIONS

"A manifest-weight review requires us to view the entire record, weigh the evidence and all reasonable inferences, consider witness credibility, and determine if evidentiary conflicts demonstrate that the factfinder 'clearly lost its way and created such a manifest miscarriage of justice that the judgment must be reversed and a new trial ordered.'" (¶74)

"A defendant's purpose in having contact with the victim—for sexual arousal or some other purpose—is a question of fact the factfinder resolves by considering the type of contact, the nature of the contact, and the

circumstances surrounding the contact.” (§76)

FACTUAL BACKGROUND

Tyiwon Holman, while working at a restaurant, pressed himself against coworker H.H.'s lower back and buttocks while holding his erect penis in his hand under his clothing. Restaurant security footage, recorded from a monitor by the store manager, depicted the contact, and Holman later admitted during a police interview that he had touched H.H. and did so for the gratification discussed by the interviewing officers. The jury convicted Holman of sexual imposition.

PROCEDURAL HISTORY

The State charged Holman with one count of sexual imposition under R.C. 2907.06. After the trial court denied his request for a new venire and his Batson challenge, a jury found him guilty. The trial court imposed jail time, informed him of his Tier I sex-offender registration obligation, and denied a stay pending appeal. The First District Court of Appeals affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Adams, 2015-Ohio-3954, ¶ 150
- State v. Worley, 2021-Ohio-2207, ¶ 90
- Johnson v. Abdullah, 2021-Ohio-3304, ¶¶34, 38
- State v. Tyler, 50 Ohio St. 3d 24, 32 (1990)
- Kane v. State, 3 Ohio Law Abs. 246, 246-247 (7th Dist. 1924)
- State v. Burns, 2024-Ohio-1669, ¶ 17 (10th Dist.)
- State v. Jackson, 2005-Ohio-5981, ¶ 52
- Batson v. Kentucky, 476 U.S. 79, 86, 89, 93-94, 96, 98 (1986)
- Purkett v. Elem, 514 U.S. 765, 767-768 (1995)
- Hernandez v. New York, 500 U.S. 352, 359-360 (1991)
- State v. Herring, 2002-Ohio-796, ¶¶63, 68
- Flowers v. Mississippi, 588 U.S. 284, 301-303, 311-312 (2019)
- Foster v. Chatman, 578 U.S. 488, 513 (2016)
- State v. Wright, 2017-Ohio-1568, ¶ 21 (1st Dist.)
- State v. King, 2007-Ohio-4879, ¶ 29 (1st Dist.)
- State v. Santiago, 2003-Ohio-2877, ¶ 10 (10th Dist.)
- State v. Fritsch, 2023-Ohio-2676, ¶ 10 (1st Dist.)
- Crane v. Kentucky, 476 U.S. 683, 690 (1986)
- California v. Trombetta, 467 U.S. 479, 485 (1984)

- State v. Jones, 2020-Ohio-281, ¶ 47 (1st Dist.), rev'd on other grounds, 2021-Ohio-3311, ¶ 28
- State v. Patterson, 2018-Ohio-3348, ¶ 21 (1st Dist.)
- State v. Mincey, 2023-Ohio-472, ¶ 32 (1st Dist.)
- State v. Crotts, 2004-Ohio-6550, ¶ 24
- State v. Tibbetts, 92 Ohio St. 3d 146, 160 (2001)
- State v. Ollison, 2016-Ohio-8269, ¶¶52-54 (10th Dist.)
- State v. Biswa, 2022-Ohio-3156, ¶¶33-36, 41 (2d Dist.)
- State v. Taylor, 2012-Ohio-5421, ¶ 32 (8th Dist.)
- State v. Sawyer, 2025-Ohio-5834, ¶ 28 (1st Dist.)
- In re Z.C., 2023-Ohio-4703, ¶ 14
- State v. Hodgkin, 2019-Ohio-1686, ¶ 10 (1st Dist.)
- State v. Mack, 2006-Ohio-6284, ¶ 9 (1st Dist.)
- State v. Alanani, 2024-Ohio-5660, ¶¶6-7, 17-18 (1st Dist.)
- State v. Ruschak, 2025-Ohio-2303, ¶ 15 (11th Dist.)
- State v. Rasheed, 2023-Ohio-906, ¶ 29 (1st Dist.)