

COURT OF APPEALS OF OHIO, FOURTH APPELLATE DISTRICT, ADAMS COUNTY

State v. Lewis

2026-Ohio-996 · No. 25CA1229, 25CA1230 · Decided March 18, 2026

SUMMARY

The Ohio Fourth District Court of Appeals affirmed judgments imposing concurrent prison terms in two criminal cases and awarding jail-time credit in only one case. The court held that concurrent sentences do not automatically entitle a defendant to credit earned in one case against an unrelated offense, and that the defendant failed to show plain error or entitlement to credit for the aggravated-possession sentence.

CASE DETAILS

COURT	Court of Appeals of Ohio, Fourth Appellate District, Adams County
WRITING FOR THE COURT	Michael D. Hess; Abele, J.; Wilkin, J.
JURISDICTION	Ohio Court of Appeals, Fourth Appellate District, Adams County
DECIDED	March 18, 2026
DOCKET	25CA1229, 25CA1230
DISPOSITION	affirmed
PROCEDURAL POSTURE	Lewis appealed two judgments of the Adams County Court of Common Pleas entered after guilty pleas and sentencing. He argued that the trial court committed plain error by awarding jail-time credit in one case but not the other, despite ordering the sentences to run concurrently.
STANDARD OF REVIEW	Plain-error review. The appellant had to demonstrate an obvious error and a reasonable probability that the error affected the outcome of the proceeding.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Michael Lewis v. State of Ohio

TOPICS

- sentencing
- criminal procedure
- appellate procedure
- standard of review
- statutory interpretation

PRACTICE AREAS

criminal law

sentencing

appellate practice

QUESTIONS PRESENTED

1. Whether the trial court committed plain error by failing to award Lewis jail-time credit in both unrelated cases when the prison terms were ordered to run concurrently.
2. Whether jail-time credit earned in one case must be applied to every case in which concurrent prison terms are imposed.

HOLDINGS

1. Concurrent sentencing does not automatically entitle an offender to receive in every case the jail-time credit awarded in another case. Under Ohio's jail-time-credit provisions, credit is offense-specific and applies only to confinement arising from the offense for which the sentence was imposed.
2. Lewis failed to establish plain error because he identified no obvious error in the trial court's jail-time-credit calculation and supplied no record support showing entitlement to credit in the aggravated-possession case.

KEY QUOTATIONS

“jail-time credit is offense specific: It applies only to the sentence corresponding to the offense for which the prisoner was confined before receiving that sentence.” (§ 12)

“Rather, the import of Fugate is that a trial court may not cherry-pick amongst which concurrent terms it wants to apply jail-time credit to, when credit was equally earned against each term.” (§ 13)

FACTUAL BACKGROUND

Lewis was indicted in 2024 for two counts of breaking and entering and two counts of theft arising from property taken from storage units in January 2022. In 2025, he was separately indicted for aggravated possession of drugs based on methamphetamine discovered in his home in January 2025. He pleaded guilty in both cases and received concurrent prison terms, with 129 days of jail-time credit awarded in the first case and no credit awarded in the second. The record did not establish that Lewis had been confined before sentencing for any reason arising from the aggravated-possession offense.

PROCEDURAL HISTORY

Lewis was indicted in two unrelated cases, pleaded guilty in both, and was sentenced concurrently in September 2025. The trial court awarded 129 days of jail-time credit in the breaking-and-entering case and zero days in the aggravated-possession case. The Court of Appeals sua sponte consolidated the appeals, overruled the assignments of error, and affirmed both judgments.

DISPOSITION

affirmed

CASES CITED

- State v. Raines, 2024-Ohio-3236, ¶ 55 (4th Dist.)
- State v. Knuff, 2024-Ohio-902, ¶ 117
- State v. Hubbard, 2025-Ohio-831, ¶¶ 12, 14 (8th Dist.)
- State ex rel. Moody v. Dir., Bur. of Sentence Computation, 2024-Ohio-5231, ¶ 9
- State v. Fugate, 2008-Ohio-856, ¶¶ 12, 22
- State v. Pyles, 2018-Ohio-4034, ¶ 45 (4th Dist.)
- Lias v. Beekman, 2007-Ohio-5737, ¶ 6 (10th Dist.)
- State ex rel. Petro v. Gold, 2006-Ohio-943, ¶ 94 (10th Dist.)

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